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COLLECTIONS

UPON THE

LIVES

OF THE

REFORMERS AND MOST EMINENT MINISTERS

OF THE

CHURCH OF SCOTLAND.

BY THE REV. ROBERT WODROW,

MINISTER OF THE GOSPEL AT EASTWOOD.

VOL. I.

GLASGOW :—M.DCCC.XXXIV.



GLASGOW:
EDWARD KHULL, PRINTER TO THE UNIVERSITY.

At the General Annual Meeting of the
MAITLAND CLUB, *held 11th May, 1832,*

RESOLVED,

THAT Selections from the Manuscript
Biographical Collections of the Rev. ROBERT WODROW, in the Library
of the University of Glasgow, be immediately printed for the use of
the CLUB, under the Superintendence of the VICE-PRESIDENT, Very
Rev. Principal MACFARLAN, Rev. Dr. FLEMING, W. J. DUNCAN, Esq.,
and the SECRETARY.

JOHN SMITH, Ygst., SECRETARY.

THE MAITLAND CLUB.

M.DCCC.XXXIV.

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P R E F A C E.

THE work from which the following Lives have been selected has been so long known to persons conversant in Scottish history that any very minute notice of it is here unnecessary. It is only intended to premise a few general and explanatory remarks, leaving details to be entered into in the Notes to the various Lives, or in the work more particularly devoted to such subjects,—the *REGISTRUM METELLANUM*.

Although the author began as early as 1707 to collect materials for Scottish history, the work now under notice was not commenced till a much later period. Scattered hints respecting a Biographical Collection will indeed be found in his correspondence in 1717, but it is not till 1722 that many notices of such a Collection occur. He intimates his intention of applying himself to the task in a letter, dated June 29, 1723,¹ to the Hon. James Erskine, a Senator of the College of Justice with the title of Lord Grange, and one of his most regular correspondents. In another letter,¹ written to the same person in the following

¹ MS. Correspondence, Advocates' Library.

November, he mentions having begun his father's life,—the same interesting article which was a few years ago published at Edinburgh. The materials which he had collected were, considering the period in which he lived, astonishingly ample. In 1722 he mentions them as consisting of three hundred MSS. and pamphlets, among which are the Diaries or Histories of Row, James Melville, Davidson, John Forbes and Archibald Simson, besides a large mass of political and literary correspondence. One of his most valuable acquisitions unquestionably was the family papers of the Trochrig family, communicated to him through Dr. John Stevenson, and incorporated into the Lives of Archbishop Boyd, his son Robert Boyd of Trochrig, Andrew Boyd bishop of Argyll, &c. By Lord Grange, Wodrow was introduced to Sir William Calderwood (Lord Polton) the grandnephew of the historian, and was allowed to examine his private papers. He had the freest access to the original MS. of David Calderwood's History, and the examination of his papers led to the discovery of the concluding volume which he had supposed to have been lost or destroyed.² But, notwithstanding these important advantages, the fact is undeniable that his extracts from that work are by no means characterized by accuracy. This may in some degree be accounted for from the incorrectness of the copy which he used, and still farther from the vicious system of his time, which permitted an author or editor to modernize quotations at his own discretion. Several errors have been corrected in the present volume, but it is to be feared that many others may have escaped notice.

The disease which at length carried off the author also impaired

² History of the Sufferings of the Church of Scotland, 1828, I. xxx.

his ability for literary exertion for a considerable period before his death. Enough, however, remains to convince us (were proof, indeed, required) of his industrious habits, even under the pressure of that disease. The dates which he has added at the beginning and end of each life are a curious record of the progress of his labours, and show that a portion of almost every day was devoted to the task of compilation. It is, in truth, rather subject of regret that he did not revise the matter and style of a part of the work, than that he did not compile more. Of the Lives preserved among his MSS. there is good reason to believe that only a very small proportion are finished; the style is often careless and incompact, and numerous memoranda show that there are many facts which he intended to reconsider,—many passages which he wished to remodel. The work falls far short, too, of the extent proposed by its author, as few of the Lives refer to a period later than the beginning of the Protectorate. All the MSS. yet discovered, except the life of Professor Wodrow and that of the historian Calderwood, are the property of the University of Glasgow, the Senate of which most liberally granted permission to print such selections as might be considered suitable.

The Committee deem it necessary to state most distinctly that the earlier Lives in the present volume have not been adopted as either the most finished or the most interesting in the Collection. While the author was enabled to enrich many of the Lives with original documents in his possession, there are others which were written almost at the latest period of his life or which partake of that excessive meagreness which characterizes our national history both immediately before and after the Reformation. It seemed desirable, however, to print a few Lives in each period of the history which the work embraces, with the view of

preserving a chronological series. In pursuance of that plan the following were selected, and the editor has endeavoured, so far as he could, to illustrate such parts of them as seem obscure,—to supply such facts as are omitted,—to correct such statements as appear erroneous. The notes of the two first (the explanatory and supplementary) classes have been appended to the volume;—those of the last description have generally been inserted as foot notes to the passages which they are intended to correct. The Appendices in the Library of the University of Glasgow, are in a most incomplete and unsatisfactory state, and the papers have, therefore, been principally supplied from MSS. in the General Register House, or in the Advocates' Library.

In the performance of the task which has devolved upon him, the editor has laboured under all the disadvantages of distance from the great depositories of Scottish MSS. and of active engagement in other pursuits. The work has not, however, depended for its most important illustrations solely upon his individual investigations, which, circumstanced as he was, could have yielded little original information, even had he been better qualified by knowledge and experience for editorial duties. Almost the only merit, indeed, which he can claim is that of having pushed his inquiries in every direction which seemed likely to yield new or interesting matter; and it is gratifying to add that they were most frankly replied to, whether addressed to friends or strangers,—to Members of the Club, or merely to persons associated with them in the same pursuits or possessed of MS. papers. Of the latter class, the Club is particularly indebted to the Senate of the University of Glasgow, which permitted an inspection of its Records and Charters,—to the Rev. Dr. John Lee, who transmitted the materials for nearly all the annotation to the Lives

of Winram, Pont and Gladstones,—to Alexander Sinclair, Esq., for his genealogical tree of the Erskines of Dun,—to Donald Gregory, Esq. Sec. S. A. Scot., for several notices of Bishop Carswell, and to James Burnes, Esq., for some minute particulars respecting the burgh of Montrose and its neighbourhood. Of the members of this Club, the editor begs to notice with much gratitude the assistance of Robert Pitcairn and Alexander Macdonald, Esqs., who have, with the greatest readiness, communicated such documents as presented themselves in the noble institution with which they are connected.

But although, it is hoped, the annotations to this volume may, in many cases, throw considerable light on the transactions and characters of the different parties, it would be presumptuous to assert that the various subjects are exhausted, or that they are, in every instance, treated with perfect accuracy. There are points, which the editor, like every other inquirer, has not investigated so successfully as he could have wished. Among the desiderata which his most anxious inquiries have not been able to supply, may be mentioned, the Will of John Erskine of Dun, Superintendent,—notices of John Willock in his early life and after his last retirement to England,—of Timothy Pont,—and of Archbishop Gladstones before his settlement at St. Andrew's. Should the reader be possessed of additional information respecting these or other subjects mentioned in this volume, more especially of such as leads to the discovery of errata, a communication is earnestly requested for insertion in the additional Notes to be afterwards printed.

W. J. D.

GLASGOW, *July*, 1834.

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COLLECTIONS

AS TO THE

LIFE OF JOHN ERSKINE OF DUN, KNIGHT,

SUPERINTENDANT OF ANGUS AND MERNES.

COLLECTIONS

AS TO THE

LIFE OF JOHN ERSKINE OF DUN, KNIGHT,

SUPERINTENDANT OF ANGUS AND MERNs.

THIS worthy and excellent gentlman was very early brought to see the corruptions of Popery, and had the peculiar honnour to be among the first of any persons of rank who favoured the Reformation. His share in that glorious work was very great, both by his entertaining ministers and preachers, protecting them, encouraging of learning and learned men, and preaching the gospell himself, when regularly called therunto, by the ministers in our first Generall Assembly: as also by his interest with the nobility and gentry in Scotland, to many of whom he was related, and his wise and prudent conduct in so criticall a time. After the Reformation was set up, the Lord continoued him upwards of thirty years in Angus and Merns, the fronteir station, as it wer, betwixt the Reformed in the south, and too many remaining Papists in the north. He was generally a member, and very usefull in all our Generall Assemblys, and sat in fifty Generall Assemblys, if not more. Indeed his easy and sweet temper, led him somtimes to think better than he had reason, of the Queen Regent, —brought him to be ensnared by the Earle of Mortoun, in the affair of the Convention at Leith and the Tulchan Bishops, and, which was the escape

Jan. 27, 1726.
Reasons of
writing this
Life.

of severall of our worthys at this time, he kepted the Reformation from Popery, in the matter of worship and doctrine, so much in his eye, as not so much for som time to prosecute the Reformation in discipline and government, as was proper. Yet, when he came to consider that subject, he was hearty and zealous in these also. In his old age, and in an hour of very sore temptation, he made some compliances with King James, when under the managment of Adamson and Arran: but when the tryall was over, he went heartily on with his bretheren, prosecuting the common concerns of the church.

Materials
whence its
formed.

I would be very much wanting to the designe of this biography, to my readers, and myself, if I did not endeavour to gather what I can now recover, upon the life of a person of the Laird of Dun's rank and singular usefulness. Most of what I have is in Mr. Calderwood's MS., who, as far as Mr. Knox goes, copyes him generally, but adds many things to him. Mr. Petry, as he tells us, had access to Sir John Erskine's papers, from his grandchild, and gives us severall things no wher else to be met with, concerning him. From these, and some other MSS. in my hands, the following hints,—unworthy, indeed, of so good and honourable a person, but all that offer to me,—are collected.

This Gentle-
man's Birth,
1509, Parent-
age, and Edu-
cation.

P. 2.

John Erskine of Dun, Knight, was born at the house of Dun, in the Shire of Angus and Merns, in the year 1509. He was the first born, for what I know, and heir of the Lairds of Dun, very ancient and honourable barrons in that county, a family nearly related to the noble house of Marr, and reconed among our eldest barrons in Scotland. Indeed, not many noble, not many great are called, but some are. In Scotland, several of considerable rank wer made early to favour our secession from Popery, as we shall hear. No doubt the heir of this family had all the education Scotland could then afford him, and I am ready to think some forraigne accessions also, in France, wher the law and languages wer now

¹ See Note A. taught in great perfection, upon the late revivall of learning¹. This appears from the care, I cannot but, by the by, take notice of, in our old

Great care
taken formerly
of the education
of our young no-
bility and gen-
try in Scotland.

Scots nobility and gentry, in the sixteenth century, and even before, to give their sons liberall education; which, as it gave this nation a just reputation for learning, and produced a great many Scotsmen of name and fame, in most Universities and Colledges of Europ, formerly and at

this time, so this was one great help to the Reformation; for Popery cannot bear solid learning, without some terrible superadded weight and byasses. And this may be a reproofe to some of rank and estate, who are not so carefull to give a liberall education to their sons, as their progenitors wer, when they wanted our advantages, and had litle to move them but a regard to learning, unles it was the Popish benefices, which indeed wer not dispensed now, by the rule of learning and literature. This young Gentlman profited much under this pains taken on him, as appears from his own solid learning and judgment, and his deep concern to have literature and learned men brought into Scotland. In Montrose, wher he had immediat influence, he got in learned persons, in the Greek and Latine tongues, to teach the youth, and contributed himself largely to encourage them, to leave France and setle here: particularly I find he placed a learned Frenchman, Petrus de Marsiliers, schoolmaster at Monros, who was Mr. Andrew Melvil's master in the Greek.

Either when abroad, or from some of these learned men, who wer dropping in now and then among us, or from England, or from some few witnesses among ourselves in Scotland at this time, the young Laird of Dun had very early hints of the errors of Popery. There was, at that time, a considerable trade managed by the towns of Monross, Dundee, &c., and the merchants and others brought both from England, Tyndal's Translations and other books, and from Holland and France, the accounts of the growing Reformation in Germany, and other places; as well as books written against Popery. These put not a few upon searches and enquirys, not favourable to Popery. The first hint I meet with concerning this young Gentlman, is in the year 1534, when he was about 25, returned from his travails, and now in possession of his estate, his Father being probably dead.

Very earlie he saw the errors of Popery.

Mr. Calderwood from Knox, and both out of Fox, who had written attested accounts of this matter, gives the Laird of Dun's conversation, as the occasion of the conversion of David Straiton, a cadet of the house of Laureston, who was, with Norman Gourlay, a man of more learning, burnt for religion. It will not be ane useles digression to give a hint of him here. Mr. Straiton was at first very ignorant, and hated the preists and Popish clergy, only for their pride and avarice, and from no principle. p. 3.

His conversation the occasion of David Straiton's conversion, who was martyred, 1534.

His bussines was much in fishing, and he had some veshells and servants imployed this way. The Bishop of Murray claimed the tythe of the fish. When the bishop's servants came to him in their Lord's name, to receive the tenth fish, he told them, if they would have what his servants had much toyl in getting, he thought it was reasonable they should come and receive it where they (his servants) got the stock, and it was generally said, that Mr. Straiton's servants had orders, from him, to cast every tenth fish they catched into the sea. A process of cursing, as it was termed at that time, or the bishop's excommunication for non-payment of his tythes, was raised. This he contemned; and this year, 1534, he got a summons for heresy. A gracious God had mercy in store and work for him at his death, and at this time wrought a mighty change upon him. Mr. Straiton had been very stubborn, and even vicious; he despised all reading, especially in good purposes; but now he delighted in nothing but reading. He had been neglected in his education, and could not read himself; but after the Lord had awakned him, he was constantly pressing such as could to read to him; and he exorted all to peace and love, and a contempt of the worlde, though he himself had been very quarrelsome and earthly minded. He frequented much the company of John Erskine, Laird of Dun, a man, say the three cited authors, marvelously enlightned for these times. When the Laird of Laurestoun, a youth, and nephew, or some relation of his, was reading to Mr. Straiton, on the New Testament, and came to read these words, "He that denyeth me before men; him will I deny before my father which is in heaven, and his angels." Mr. Straiton, now under summons, was extremly affected with them: they came in upon [him] with so much power, that he could not contain, but suddainly threw himself before all present, on his knees, and extending his hands, and looking constantly with his eyes toward heaven a reasonable time, he burst furth, at length, in these words, "O Lord, I have been wicked, and justly mayest thou abstract thy grace from me; but, O Lord, for thy mercy's sake, let me never deny thee, nor thy truth, for fear of bodily pain or death." This prayer of his was not poured out in vain, for a litle after, in Agust, he was with the other condemned to be burnt, by the bishops, in the king's presence. After sentence, Mr. Straiton asked the king's grace. The bishops answered, proudly, "*The king's*

hands were bound, and he had no grace to give to such as by their law were condemned," and so they wer both burned, Agust 27.

The Popish clergy caryed all before them for some time, and many wer butchered, for three or four years. Mean while the Reformation gained much ground, and the bloody and fiery sermons of the multitudes, who at stake and more privately wer murdered, adhering to the truth with the outmost meeknes and constancy, opened the eyes of many. The professors, as Mr. Calderwood observes upon the year 1539, wer many, howbiet seeret, not only among the burgesses, but the nobility and gentry. Their names which is almost all we have of them, deserve to be kept in remembrance; and since the Laird of Dun had no litle influence upon enlightning many, and his house and lands wer open to them, and the resort of many, for safety and protection, was to the house of Dun, which was now a litle sanctuary to those that wanted it, and his conversation was very usefull to such as needed not shelter, I take this place not to be unfitt to preserve the hints Calderwood gives of them, mostly from Knox. At this time ther wer in Edinburgh, remarkable professors, Sybilla Lindsay, spouse to John Foulter; George Aldjoy, Merchant; John Maine, Merchant; Patrick Lindsay, Goldsmith, and his brother; Freir Alexander, a considierable Mathematician, and ingenious maker of horologies; Francis Aikman, and diverse others. There wer some, even among the nobility, William Hay, Earle of Errol, a person of great learning, both in humanity and divinity; he suffered much for the cause of Christ. This nobleman was well versed, specially in the New Testament, and could rehearse the choisest sentences of it, especially such as served to establish solid comfort in the soul, by faith in Christ. Mr. Robert Alexander, who had been his padagogue, set forth my Lord's Testament, in Scottish meetre, and it was printed at Edinburgh. William, Lord Ruthven, father to Patrick, Lord Ruthven, though he did not openly profess religion, yet was privy to his sons carriage, and approved of the part he had in our Reformation. His daughter, Lillias Ruthven, married to the Master of Drummond, howbiet she had a pearle in one of her eyes, which could not be cured, yet she saw great light with the eye of her soul, sayes my author, and was a pearle for holynes, gravity, and wisdom. John Stewart, son to the Lord Methven, who married the

Early professors of Religion in Scotland, about 1539. The friends and intimates of the Laird of Dun.

P. 4.

In Edinburgh.

Freir Alexander.

Earle of Errol.

Lord Ruthven.

His Daughter.

John Stewart, Son to Lord Methven.

Earle of Glen-
cairn.

king's mother, and made some poems and ballads, after the death of the viccar of Dolor, was also a fervent professor of the truth. Alexander, Earle of Glencairn, a third brother of that noble and ancient house, but, by the death of his bretheren, succeeded to the earldom, when a youth, discovered the abominations of Popery, and painted forth the hypocrisy of the Freirs in rhyme, under the title of "*An Epistle, directed from the holy hermite of Larite, to his bretheren the Grey Freirs.*" It is printed in Knox History, but [with] many wrong syllabications, which render it dark. This good Earle, as may be seen in Knox Life, acted a glorious part afterwards in our Reformation. I doubt not but ther wer many others, in this dark time, whose names are lost.

1548, he de-
fends the town
of Monross, a-
gainst the Eng-
lish,

Mr. Calderwood remarks, that in the year 1548, the Laird of Dun was very usefull in defending the country against the attacks of the English. Hollenshead, and other English writter[s], give account of the war with the English this year, the seidge of Haddingtoun, and other scuffles. Calderwood sayes, "During the seige of Haddingtoun, the eastles of Hume and Fastcastle wer recovered. The English fleet went about to land their souldiers at St. Monnan's in Fife; but the Queen's brother, James Stewart, came in hast, with such a power as he could assemble on a suddain. Ther was come on land about twelve hundred English, but he put them to flight, and compelled them to retire. Many wer drowned as the[y] fled to the ships, three hundred wer slain, and one hundred taken: others report ther wer six hundred slain. Then the English fleet thought to have surprized the town of Monross; but, by the vigilance of John Erskin, Laird of Dun, Provost of the town, their interprise was perceived and prevented, so that, upon their landing, they wer forced to retire, with the loss of some men."

Remarks on
his joyning the
French against
the English.

As the Laird of Dun appeared afterwards, with a lasting glory to himself and his family, in having no small share in beginning and carrying on our Reformation from Popish tyranny and slavery, so this year he appeared for what appeared to him to be the liberty and safety of his native country, now garisoned by the English, and much oppressed by them. In this warr he joyned Mons. de Dessé, and the auxiliary troopes from France, against the English, now masters of Haddingtoun, Dumbar,

and most of the country east of Edinburgh. This warr was not upon the score of Reformation, but,—as he and the Earle of Cassiles, and the Earle of Glencairn and others, favourers of the Reformation, who did not joyn the English, took it,—a nationall quarrell only; and when the same Queen mother, whom he now vigourously asisted, some years after, by the counsels of France, formed the designe of enslaving Scotland to France, by the means of her French auxiliars, he made as noble a stand for liberty and the Reformation against her and them. A real principle makes a man's actions steady and uniform.

The history of the campaigns 1548 and 1549, translated from the French, and printed at Edinburgh about twenty years ago, hath many passages very honourable for this gentleman in this warr with the English. I must referr my reader to it since the pamphlet is not scarce, and I shall only nottice, that Mons^r de Dessé pitched on the Laird of Dun to view the English camp soon after his arrivall from France. Soon after my Lord Hume and he, with Captain Longué wer sent to Roxburgh with three hundred horse to get intelligence of the English motions. In some dayes after, an engagment followed, and the Laird of Dun, upon the head of some Scots, all brave men, head stroug enough to undertake and execute the most dangerouse exploits, attacked, bore down, and killed not a few of the enimmie. In short, that writter ascribes much of the glory of the succes to the Laird of Dun's conduct, and sayes, “Mr de Dessé, the Lord Hume, and the Laird of Dun, and “the rest of the horse did wonders as before, broke in upon the ranks of “the English, and caryed all before them as a torrent.” A litle downward he adds, “the Lord Hume and the Laird of Dun, wer that night “on the guard, and both of them Scotsmen of quality, and [have, on] “all occasions I could witnes or hear off, given the most signall proofes “of their loyalty, and evinced themselves inferiour to none in the world, “either in courage or conduct.”

But above all, this author enlarges on what is set down in short by Calderwood,—the Laird of Dun's defence of the town of Monross. “The English fleet came secretly thither expecting no opposition. The “Laird of Dun, by reason of the valetudinary state of his health, chanced “to be at home at the time. This gentlman had a large stock of

His honour-
ble share in the
campaigne 1548
against the Eng-
lish.

His defence
of the town of
Monross
against the
English fleet.

“ wisdom and honesty ; and being admirably weel seen in war, was not
 “ ignorant that the smallest oversights usher in for the most part, in-
 “ conveniencies of the highest emportance, namelie, where access is easy. For
 “ this reason, though his illnes pleaded for rest, he never retired at night
 “ till he had first visited the guard of a fort, which, with incredible dili-
 “ gence, he had caused to be reared at the mouth of the harbour of
 “ Montrose : then after weakning, or doubling the guard as he found
 “ expedient, and leaving proper orders behind him, he retired to his own
 “ house, or stayed in the town of Monross ; and was frequently wont to
 “ say, ‘ That as men of honnour are bound to fear shame, so they are
 “ by the same rule oblidged not to shun dangers or troubles.’ When
 “ the English fleet approached, he hapned to see a great many ships not
 “ far of. Behold a singular example of what a ready wit can effect
 “ upon the most urging necessitis. The Laird of Dun having dis-
 “ covered the enimys fleet, and looking for the worst, a consideration
 “ seldome lyable to the pains of repenting, gave orders to some of his
 “ men to man the best ships in the harbour, and impede the enimie’s
 “ ingress that way ; he commanded others to guard the fort, and sent
 “ of[f] some to the town, with orders to [go] about in a privat way
 “ among the Burgesses, seamen, and others, to cause them to take armes.²
 “ He left orders with them in their respective posts, and he himself
 “ marched with a party against the enimie. To compass his aim with
 “ the more caution, he left a part of his men out of the town in an
 “ advantageonse place, formerly fortified, to secure his retraits, and
 “ advance[d] with the most nimble, with that secrecy and diligence, that
 “ he discovered the enimies frigates sailing to and froe with their men
 “ in them landing. Having thus penetrated into the plot, he withdrew
 “ to his party he had left without the town ; and having placed centinells
 “ in proper posts, to prevent surprizes, he reentered the town. By this
 “ time a thousand of the inhabitants wer in armes ; of them he picked
 “ out three hundred, and ordered them out to joyn their freinds at the
 “ trenches, the remainder he thought unfitt for action, and ordered two
 “ gentlemen in whom he could confide to lead them, with the ship boyes
 “ and popnlace, to the back of a mountain which looks down upon that
 “ place wher the enemy lauded. These gentlemen he ordered to lye

² See Note B.

“ closs till he gave the signall, the second fire of his artillery, and then
 “ to draw all their company in the best order they could, and shew them-
 “ selves at a distance to the English. He had laizour enough to put his
 “ signe in execution. The English knew litle of the country, and though
 “ six or eight hundred men wer landed, they had not stirred from the
 “ shore. By the break of day they hastned to the town, full of hopes and
 “ expecting no opposition. The Laird of Dun with his men in the
 “ trenches, gave them a terrible onsett, and their arrowes flew so quick
 “ that many of them wer overwhelmed before the[y] knew from whence or
 “ by whom the storm was poured down. The Scots who lay in ambush,
 “ charged the enemy at this rate four or five times, till they rallyed and
 “ offered to repell the shock, the ambush retired with order and inconsi-
 “ derable loss to the trenches. The English pursued with incredible
 “ speed, wher the Scots with the shot of their arrowes and fire of their
 “ arquebushes cut of[f] a great many of the formost, and mentained their
 “ post against the remainder, without coming to hardy blowes. Thus,
 “ the Laird of Dun’s orders and dispositions wer exactly executed, and
 “ now all being ready for his intended project, and apprehensive that the
 “ heat of action should warm his men to an excess of forwardnes, he
 “ began insensibly to draw them behind the trenches. This he did so
 “ cunningly, that the enemies scarce perceived the insensible retiring, till
 “ they saw him retire with the last. Upon this the English pursued
 “ briskly, as he expected, and then the Laird of Dun commanded three
 “ feild pieces which he had brought thither to be discharged, which by
 “ reason of the nearnes and confusion of the enemy, did them a worlde
 “ of mischeife. After this the Scots broke out again, with a great cry,
 “ and their swords in hand, with incredible and irresistible fury. Mean-
 “ while, the signall being given, the detachment which the Laird of Dun
 “ had loged on the back of the hill, made all the neighbourhood resound
 “ with shouts and huzzas, and failed not to shew themselves as ordered
 “ at a convenient distance ; the[y] appeared in the form of a four-square
 “ battalion, and wer so skilfully ranked, though their weepens wer ridicu-
 “ louse, that the enemy took them to be armed according to the French
 “ fashion and concluded they were about to cut of[f] their retreat. This
 “ struck them with terrour, and made them run to the sea with the grea[te]st

“ disorder that fancy can represent. They ne[ver] once looked back on
 “ the pursuing Scots, who chased them so eagerly, and made such
 “ havock among them, that of nine hundred not one hundred got to their
 “ ships. The fleet putt to sea and retired. The Laird of Dun divided
 “ the spoils of the vanquished among his men, and returned to the town
 “ with the glory of a victory, that was owing not only to valour and
 “ vigilancy, but to such a nice peice of martiall cunning, as at once ele-
 “ vated the spirits of his own people, and intimidated the enemy so very
 “ much, that at last they broke their ranks, and tamely permitted their
 “ throats to be cut.” The reader will not grudge this long citation ; it
 shoves this gentlman was eminent in the camp, as well as singularly
 usefull afterwards in the church.

After much
 growth in
 knowledge and
 attendance of
 Mr. Wisharts
 and others, their
 Sermons, he
 himself preach-
 es, 1555.

The Laird of Dun continoued in a privat capacity, extremely usefull to
 such as favoured the Reformation for about twenty years ; in which, by
 conversation, reading, meditation, and prayer, he grew in grace and in
 the knowledge of the Lord Jesus, and discovered very fully the abomina-
 tions of Popery. I doubt not but he attended the sermons of Mr.
 George Wishart, when near him, and conversed with him ; but since
 our Historians do not notice this, I pass it. The great thing wanting in
 Scotland, after Mr. Wisheart's death, and the taking of [the] castle of
 Saint Andrews, and banishment of that company to France, was preachers
 and ministers. These the Lord sent by the persecution raised in England,
 as is to be seen in Mr. Knox and Willock's Lives. And in the years
 1554 and 5, William Harlaw, Mr. Willock, Paul Meffen, and Mr. J.
 Douglas, preached here and ther as they might. Mr. Willock and the
 Laird of Dun had contracted a familiarity at Dundee, wher Mr. Willock
 used to come from Embden. In the summer, 1555, a litle before Knoxes
 arrivall, the professors at Edinburgh, who had brought themselves to the
 form of a church as near as they could, and chosen elders and deacons, and
 had two meetings, wer, upon the Laird of Dun's coming south, and by
 his advice, joyned in one congregation ; and this gentlman taught them
 sometimes in privat houses, as Mr. Calderwood observes ; and no body
 will doubt of his abilities for this work, though, as yet, I don't observe any
 notice taken of his ordination. And, though, as I take it, Mr. Willock
 and William Harlaw, were both of them ordeaned, (probably diaconat)

in England, yet I find none of them dispensed the sacraments as yet. Mr. Knox had done so indeed at St. Andrews before his departure, being ordeaned, as far as I can gather, by the Popish clergy, before his embracing the Reformation, (thus by the Papists themselves he is termed Sir John Knox,) and when he came over this year, he dispensed the sacraments frequently. But teaching in their privat meetings was all I can yet perceive, this gentlman engaged in, and certainly it was a duty lying upon him, especially when called to it by the preachers, elders, and deacons of this litle congregation. And probably he obeyed their desire to give them greater encouragement and boldnes in their work, considering his rank and quality. I dash down thir conjectures, till some, from better materialls than I have, give us more light as to the ministry and ordination of our first reformers, which, whatever loss we are at as yet, for want of a full information of the circumstances of things at this time, its easy to vindicat from the objections of the Papists, by what has been again and again answered by other reformed churches, much in the same case with us.

After Mr. Knoxes arrivall, toward the end of this year 1555, it was the Laird of Dun who assembled a meeting for conference upon the unlawfulness of communion with Papists, in their idolatrous sacraments, where Mr. Knox made this so very plain, that a great secession was made from the Popish meetings; as may be seen in his life. At this time, Sir John Erskin took Mr. Knox twice with him to his house of Dun, and the last time had the sacrament of the Supper administred by him, as hath been there observed.

His usefulness after Mr. Knoxes arrivall, 1555.

When Mr. Knox removed, and Mr. Willock probably was gone to Embden, a halt was made for two years, in any thing of publick Reformation; yet the knowledge of the truth, and further discoveries of the wickednes of Popery were making great progress. In December, 1557, the Parliament convnced, and nominat eight Ambassadors, or Commissioners from Scotland, to goe over to France, and be present at the marriage of our young Queen with the Dolphim of France. Gilbert Kennedy, Earle of Cassils; James, Lord Fleeming; George Lesley, Earle of Rothcs; James Stewart, Prior of Saint Andrews; George [Lord] Seaton, Provost of Edinburgh; John Erskine of Dun, Provost of Monrose; James Beaton, Archbishop of Glasgow; and Robert Reid, Bishop of Orkney.

The Laird of Dun is one of the Commissioners to France, 1558.

The disasters of their voyage, the death of some, and hazard of all of them, in France, is noticed on Mr. Knoxes life. The Laird of Dun's character was well enough known, and no doubt, Lord James, Prior of St. Andrew's, and he, were looked on in a particular manner with an evil eye there. But the Lord preserved them both, having great future services in view from them both, in the great work of Reformation just now at the dore.

He with some
others, 1558,
teach and ex-
ort publickly.

After the execution of Walter Mill, our last sufferer before the Reformation, the professors of religion grew more and more bold and publick in their meetings for worship and doctrine, in the summer, 1558. Mr. Willock's coming back, and the safe return of Lord James, and the Laird of Dun, very much comforted them. Mr. Knox, in his Preface to his Second Book, gives us some hints of the progres of religion at this time, and, which is what here I am only concerned in, notices, that in a few moneths, many wer so strenthened, that they sought to have the face of a church among them, for which purpose, by common election, elders wer appointed, to whom the whole bretheren promised obedience; and certain zealous men, among whom wer the Laird of Dun, David Forres, Mr. Robert Lockheart, Mr. Robert Hamiltoun, William Harlaw, and others, exhorted according to the gifts and graces granted to them. This genthman, then, after his teaching, (if they be not the same) comes now more publickly to exort. The offices of readers, exhorters, and superintendants, as I have frequent occasion to notice in this work, wer at first received, and for sometime continoued, in this church, because the necessity of the times, and the great scarcity of ministers required them; and when that necessity was over, they laid them aside, and kepted to the four offices, from the Reformation here reckoned of Divine institution, pastors, doctors, ruling elders, and deacons. These exhorters seem to have discoursed to the people in a plain practicall way, upon the dutys contained in the portion of Scripture read, or any other they found proper, and most of them soon entered into the holy ministry.

Supplication
to the Queen
Regent, formed
by the Laird of
Dun.

At this time Mr. Petry, from the Laird of Dun's originall papers, communicat to him by his great grandchild, Alexander Erskin, gives us a supplication of the professors of religion, to the Queen Regent. I am ready to think, it was sometime after the order in which Mr. Petry

places it, since he has not given us its date, and it refers to severall other supplications formerly presented. However, conteining a noble spirit of liberty, as well as concern for religion and being probably formed by Sir John Erskine, it deserves a room in his life, and followes :

P. 7.

*“ The Subjects of this Realme of Scotland, wish to the Most Excellent
“ Princess Marie, Queen Dowrier and Regent, all felicity.”*

“ MOST NOBLE PRINCESS,—It is not unknownen to your Majesty, our
“ ardent desire to see the name of God glorified in this our native
“ country, and we have made often humble suit to your Grace, to have
“ your good will and protection, to live quietly and in free conscience,
“ without oppression of tyrants, according to the will of our God, made
“ manifest to us, in His Holy Scriptures. And because some men, who
“ have most unjustly entered themselves by title and name, as ministers of
“ God’s Kirk, are conspired together against the Lord and his Anoynted,
“ to put down his name and honour, and to mentean most odious abo-
“ minations, we have forsaken them and their detestable ministry, know-
“ ing them to be accursed of God ; and, according to the Scripture, we
“ have received such ministers as with humble minds, submitt themselves,
“ their doctrine, and ministry, unto the Word of God, and tryall therof ;
“ of whom we have experience that they do minister truelie, according
“ to the institution of our Saviour. And, now, Madam, the Bishop of
“ Saint Andrews, by the corrupt counsel of most wicked and ungodly per-
“ sons, hath given forth his letters of summonds, against our ministers,
“ to compear in Saint Andrews, or elsewhere, such day as he hath ap-
“ pointed in his letters, (the copy wherof being required was refused) to
“ underly the most corrupt judgment of them, whose counsell in this
“ case he does most follow. And knowing, how dangerous a thing its to
“ enter under the judgment of enimies, we cannot suffer them to enter
“ under their hands, nor to compear before them, unless they be accom-
“ panyed with such as may be able to defend them from the violence and
“ tyranny, wherof we have now the experience. But, to stop all tumults
“ and other inconvenients that may therby occur, we most humbly offer

Petrie’s His-
tory, Part II.
pp. 191, 2.

“ourselves and ministers, to come before your Grace and Council, to
 “abide tryal in all things that they have to lay to the charge of us, and
 “our ministers, according to the Word of God. Beseeching your Grace,
 “as you ought of duty, and as you are placed of God above his people,
 “to take our cause, or rather the cause of God, to be tryed most justly
 “according to the Holy Scriptures before your self; and put inhibition to
 “the said Bishop, to proceed further untill tryall be taken as said is, unto
 “the which your Grace shall find us at all times ready, as shall please you
 “to command. And your Grace’s good answer wee most humbly be-
 “seek.”

P. 8.

I need not observe, that this loyall and reasonable supplication had no answer given it, as justly they expected : but this and their other supplications were put of with delators, till the Regent got her designe carried in Parliament, to have the matrimoniall crown of Scotland granted to the Dolphine; after which, she began to appear in her own colors, which meanwhile helped on the Reformation, as the reader will see in Mr. Knox life,

His treat-
 ment from the
 Queen Regent,
 May, 1559.

Wher I have also given some account of the base treatment given to this ingenious and charitable gentleman, in May, next year; but a hint of [it] is proper here. When the town of Perth had embraced the Reformation, the Queen Regent caused summon the ministers to appear at Stirling, May 10. After all methods were tryed to pacify her, in vain, the professors, and Lords of the Congregation, resolved to accompany their ministers, and make joynt confession of the truth with them. The professors of Dundee, and gentlemen of Angus and Merns, came forward with their preachers to Saint Johnstoun, without armes, as peacable men, designing only to give confession with them. But least such a multitude should make the Queen Regent affrayed, the Laird of Dum, sayes Calderwood, “a
 “zealous, prudent, and godly man, went before to Stirling, to declare to
 “her, that the cause of their convention was only to give confession with
 “their preachers, and to assist them in their just defence. She, under-
 “standing the fervency of the people, began to craft with him, desiring
 “him to stay the multitude, and the preachers, with promise that she
 “would take some better order. He being a man tractable in nature,

“ and willing to please her in all things, not repugnant to God’s will,
 “ wrote to those that wer then assembled at Saint Johnstoun to stay and
 “ not come forward, shewing what promise and hope he had of the
 “ Queens Grace’s favour. At the reading of his letters, some did smell
 “ the craft and deceit, and desired the rest to pass forward till a dis-
 “ charge of the former summonds wer obtenead; alledging that other-
 “ wise the process of rebellion should be execut against their preachers,
 “ and so should not only they, but also all such as did accompany them,
 “ be involved in the like crime. Others did reason, the Queens promise
 “ was not to be suspected, neither yet the Laird of Dun’s request to be
 “ contemned, and so the whole multitud with their preachers stayed. Upon
 “ this the Queen Regent, notwithstanding requests made to the contrair,
 “ gave charge to put them (on their non-compearance) to the horn, and
 “ inhibit all men, under pain of rebellion, to assist, comfort, receive,
 “ or mentean them in any sort. The Laird of Dun perceiving this
 “ extremity, prudently withdrew himself, otherwise, by all appearance,
 “ he had not escaped imprisonment; and coming to Saint Johnstoun,
 “ expounded the case even as it was, and did conceal nothing of the Queens
 “ craft and falshood.” This breach of promise put the professors at
 Perth into a frett, and no wonder, and this was the immediat occasion
 of the mixture of some irregularitys, in the pulling down of the monu-
 ments of idolatry at Saint Johnstoun and Scoon next day, wher the
 Laird of Dun and Mr. Knox wer very carefull to prevent extremitys,
 and keep down the ferment this disingenous dealing raised among the
 people. And yet they and our reformers are loaded with these irregu-
 laritys occasioned by double dealing in the Queen and Prelates,

4. Which brings me to add here a very just remark of Mr. Petry, which
 he supports from two proclamations, with the signet whole and intire,
 which he found among the Laird of Dun’s papers, who, it seems, was a
 very curious gentlman, and to have be[en] very carefull to preserve vouchers
 for the considerable parts of our history. Mr. Petry observes, by way of
 answer to a late Historian, (Johnstoun,) who calleth the Reformation of
 the Church of Scotland, a *tumultuous and Vandal Reformation*, that
 multitudes of ancient churches, yet standing, bear witnes, they did not
 throw down any necessary Church, but only the Abbays, and Monastrys,

The laird of
 Dun and our
 Reformers vind-
 icated from any
 countenancing
 of tumults,
 P. 9.

and their Churches; that from the two underwritten proclamations, as well as the reformers whole proceedings, it appears, whatsoever was done had the authority of the publick Convention of the Estates, and lesser things wer done by the authority of the Council, the Queen being a minor, and not in the country since her infancy, and being under the tutory of her uncle, a stranger and an enemy to religion, who had given his power unto strangers for opposing of religion. The two proclamations Petry gives us from the originalls, deserve to be preserved in this work, and, therfor, I have given the first, dated at Glasgow the penult day of November, 1559, when the Duke, Earle of Glencairn, and other counsellers went thither, after the suspension of the Queen Regent's authority, and caused all the images and altars to be pulled down in that city, and it stands App. No. [I.] The other proclamation was occasioned by the designs of some Bishops, to attempt a new persecution, and is dated Dundee, the 14 of December, 1559, and stands App. No. [II.]

From a proclamation dated Glasgow, Nov. 1559, App. No. I.
And another, Dundee, Dec. 14, 1559. App. No. II.

Next year, 1560, this excellent gentleman, who was employed in the most arduous affairs of the nation, all sides being impressed with his wisdom, prudence, and sincerity, was one of those who signed the instructions, which are printed in Knox, given to the Scots commissioners, who went to Berwick to treat with the Duke of Northfolk, for the assistance of England against the French at Leith; they are dated at Glasgow, February 10. The commissioners acted according to them, and all issued in the removal of the French, and setting up the Reformation by the treaty at Leith, signed May 10, 1560.

He signs the instructions Feb. 10, 1560.

Is made Superintendent of Angus and Merns, 1560.

As soon as the French wer removed from Scotland the council mett, and the few ministers convened, and took the state of the church under their consideration, and parcelled out themselves the best way they could, so as to answer the necessitys of the different quarters of the country. The Laird of Dun was appointed superintendant of Angus and Merns, wher his estate lay, and wher he was singularly usefull for thirty years after this. Some hints as to this first fixing of ministers and superintendants are to be found in Mr. Knoxes life, and I find a passage in Mr. Rowes MS. history, which brings some further light to this matter. Mr. Row tells us, he hath given us his accounts from the Memoirs left by his father, Mr. Row, or his father-in-law, David Ferguson, Minister at Dum-

fermline, who put in write such things as fell out from the beginning of the Reformation till his death. His words are, "A Parliament was holden at Edinburgh by the nobility of Scotland, and such as the King and Queen of France appointed governours with them in the year 1560, and acts and lawes wer made for abolishing the mass, and confirming the true religion: It was then enacted by authority, the ministers being supplicants for the samine, that Preists, Freirs, and Monks, and other kirkmen that had their pensions and livings allotted to them for their service, should retean and brook the said pensions, if they would be professors of the truth, and leave their papistry and idolatry, otherwise all should be taken from them for their obstinaey. Whereupon it came to pass, that some of them became readers and true preachers also. This year also, the first Nationall Assembly, whilk we have still accustomed to call this Generall Assembly of this Kirk, convened in Edinburgh, December 20, wherein ther wer not above twelve ministers, viz., John Knox, Mr. John Row, David Lindsay, William Harlaw, William Christieson, Christopher Goodman, Mr. David Weemyse, William Darroch, Mr. Walter Balfour, John Brown, William Lamb, and Mr. Robert Windram, but sundry ruling elders commissioners to the number of thirty to assist them in that good work; whilk the Lord so blessed, that appointment was made of other forty-three, wherof some wer to read the word in the mother tongue to the people, some also to praise and exhort as pastors, wherof John Erskine of Dun was one. They ordeaned also, that ther should be two Assemblys holden every year, whilk was ordinarily observed for a long time; so that at every Assembly, by the blessing of God, the number of Christs ministers encreased, and the number of godly professors grew exceedingly."

Mr. Rowes
remark on this
in his MS.

P. 10.

Mr. Row takes no notice of the meeting of Ministers in June this year immediatly before the Parliament, which both Spotswood and Calderwood observe; this being, if I may be allowed to conjecture, only an occasionall meeting, acting in concert with the privy council; there superintendents, indeed, wer agreed to, throw the necessity of the times, and afterwards these with readers and exhorters wer left by our Assemblys as they stood, till a better provision could be got made. In the interval betwixt this and December, the first Book of Discipline was

Remarks on
the first Super-
intendents.

framed, and the ministers and elders met in a direct judicatory in December, wher, as I take it, the superintendants not formerly pastors, wer appointed to be ordeaned by the ministers. Here we see the Laird of Dun was appointed a pastor, and in a litle after the Assembly, Mr. Knox admitted Mr. John Spotswood, Superintendant of Lothian, after a sermon and according to the method drawn up by him, and approved by the Assembly afterwards. And though we have no particuar accounts of this, our historians passing the first years after our Reformation, in so many hints, which leaves us in the dark as to many circumstances which would have been of use to us, we may suppose that Mr. Willock, formerly a minister, was received and admitted Superintendant of the west, Mr. Winram of Fife, and the Laird of Dun and Mr. John Kerswall, not ministers before, wer ordeaned and admitted Superintendants to Angus and Merns, and Argyle, soon after this first Assembly. So that though we be at a loss for want of particuar circumstantiat accounts, yet in the generall, we may be perswaded of the particuar care this church took even from its infancy, as to the regular and Seriptural entry, and admission of persons into the holy office of the ministry.

Complaints
against the Su-
perintendant to
the Assembly,
Dec. 1562.

The first Generall Assemblys, and for a good many years after the Reformation, wer very strict in the tryall of the superintendants. The fifth Assembly, which convened, December 25, 1562, removed the Superintendant of Angus. It was objected “ That ther wer many Popish preists unable, “ and wicked in life, admitted to the reading at kirks within his dioecess. “ That some young men wer rashly admitted to the ministry, and to be “ exorters, without such tryall and examination as is required in the “ Book of Discipline. That gentlemen of vitiousse lives wer chosen to be “ elders in diverse kirks. That sundry ministers, under his jurisdiction, “ remain not at their kirks, visit not the sick in their extremity, and “ also, that the youth is not instructed. That some ministers come over “ late to the kirks, wher they should preach on the Lord’s day, so that “ the people weary staying upon them, and incontinent after the sermon is “ ended, they depart. That the ministers resort not to the exercise, according to the order set down in the Book of Discipline. The Superintendent being called in, rendered up the commission he had received “ from the Assembly to visit the north, and establishing Ministers,

“Elders, and Deacons in the Kirk.” No doubt the Laird of Dun gave satisfying answers to these. He had been much in the north since last Assembly, and promised to do what in him lay to remedy these evils. In the first Session of this Assembly, the Superintendant complained of Mr. Robert Cumming, schoolmaster of Arbroath, for infecting the youth with Popish idolatry.

The Superintendant of Angus was chosen moderator of our eleventh General Assembly, December, 1565. One of the first works of the Assembly at this time was to enquire into the carriage of the Superintendants. A complaint had been made, that the Laird of Dun was not so closs in his visitation as he ought to have been. According to his usuall candour he acknowledged that he had not visited any kirks for two moneths by-past, but alledged that his visitation could not be so very profitable, in respect that it behoved him to lodge in time of visitation with his freinds for the most part, who had most need of correction and discipline; therfor he besought the Assembly to provide some other to that office. This we shall see he frequently does, which was an instance of his humility, but the assembly never grant his desires. By the registers, I find him continued moderator in the two succeeding Assemblies. And in [the] close of the thirteenth Assembly, December, 1566, he desires to be exonered of his burdensome calling in respect of his weaknes and debility of body, wherby he was unable to execut that charge as was required. But the Assembly would not altogether exoner him, but permitted him to appoint some of the best qualified within his bounds to visit when he found himself unable. His health afterwards grew better, at least I do not observe many complaints of it.

He is Moderator of the Assembly 1565, and the two following.

P. 11.

Next year at the coronation of the young king, July 29, after Mr. Knoxes sermon, the Superintendants of Angus and Lothian, with the titular Bishop of Orkney, set the crown upon the King's head, which the nobility came and touched in token of their consent, and after them the Barrons and Burgesses, and the Earle of Mortoun and Lord Hume took the oath of coronation for him. In the Assembly which met in December, the Laird of Dun presented a suplication in write, as the registers of the Assembly say, or rather a dimission of his office of Superintendancie, by reason he was not able to discharge it in respect of his age and infr-

He crowns the King, July 29, 1567.

mity. The Assembly would not accept his dimission for severall reasons to be shewen to him, and continoued him in the said vocation till further advisment.

State of our
Universities after
the Reformation.

Our Generall Assemblys took a particular inspection of the state of universities, especially after they had the countenance of the good Regent, the Earle of Murray. Saint Andrews was pretty soon looked after, and some purgation made, under Mr. John Douglas, Rector. That of Glasgow was extremly low every way, till Mr. Andrew Melvil was sent to it. In Aberdeen a good many of the Popish masters made a shift to continow in their places; severall complaints were made by Mr. Adam Herriot, first minister at Aberdeen; after the Assembly, in the year 1569, commission was given to the Laird of Dun to visit that bound, and particularly the university, with some others adjoyned to him. In July the Regent after he had settled the North and Highlands in peace, came to Aberdeen, and with the counsil joyned with the Superintendant, and those in commission with him, and effectually purged that nursery of learning. The best account I can give of this matter is from the registers of the Assembly, which convened July, 1569. In the first Session of which, "The Assembly read and allowed the decreet and sentence given by the Lord Regent's Grace and Council, against the "Principall and other members of eld Aberdeen, the tennour wherof

Decreet of the
Superintendant
against the Po-
pish masters at
Aberdeen, June
1569.

"followes: We John Areskine, Superintendant of Angus and Mernes,
"and commissioner within the bounds of the Sherriffdome of Aberdeen
"and Bamf, and the ministers and commissioners within the said bounds
"being assembled in the High Kirk of New Aberdeen, willing to reform
"abuses within the said bounds, and especially in the Colledge of Old
"Aberdeen, we directed summonds against Alexander Anderson, Mr.
"Andrew Galloway, subprincipall, Mr. Andrew Anderson, Thomas
"Ousten, and Duncan Norrie, Regents of the said Colledge to compare
"before us, that tryall might be taken if they were sound in religion;
"which being found, they are to be suffered to continow in their offices,
"otherwise, if they wer found corrupt with Popery and errors not agree-
"able to the truth, as it is professed faithfully within the Kirk of Scot-
"land, to be deposed and inhibited to teach and instruct the youth
"privatly or publickly in that Colledge or any other school or Colledge

“ within the realme, that others, well qualifed, may be placed in their
 “ rooms, able to bring up the youth in the true faith, right worship
 “ of God and good letters. In this mean time, my Lord Regent’s
 “ Grace, called before his Grace and Councill the forsaid persons, being
 “ delated to his Grace as very obstinat Papists and enimies to the truth,
 “ and required them as professors of Christ’s religion, to subscribe the
 “ articles following :

“ We, whose names are underwritten, do ratify and approve
 “ from our very hearts, the Confession of Faith, together with all
 “ others acts concerning our religion, given forth in the Parliaments
 “ holden at Edinburgh, the 24 day of Agust, 1560, and the 15 day
 “ of December, 1567, and joyn ourselves as members of the true
 “ Kirk of Christ, whose visible face is described in the said acts, and
 “ shall, in time coming, be participant of the sacraments, now most
 “ faithfully and publickly ministrat in the said Kirk, and submitt as
 “ [us] to the jurisdiction and discipline therof.

“ This was done the penult day of June, and not finding in them
 “ obedience, referred them to the last of June. The which day they
 “ compeared before his Grace and Council, and most obstinately contem-
 “ ning his Grace’s most godly admonitions, refused to subscribe the said
 “ articles. Wherfor, my Lord Regent’s Grace, and Lords of Privy Coun-
 “ cil, with deliberation passed the decreet and sentence which followes :—
 “ ‘ Apud Aberdeen, ultimo Junii, 1569. The which day Mr. Alexander
 “ ‘ Anderson, Principall, Mr. Alexander Galloway, Subprincipall, Mr.
 “ ‘ Andrew Anderson, Thomas Ousten, Mr. Dunean Norrie, Regents
 “ ‘ in the Colledge of Aberdeen, being called in presence of my Lord
 “ ‘ Regent’s Grace, and Lords of Privy Counsel, being desired by their
 “ ‘ subscriptions to give attestation and plain profession of the faith, with
 “ ‘ all other acts made concerning [the] Christian Religion in the Par-
 “ ‘ liaments holden at Edinburgh the 24 day of Agust, 1560, and the
 “ ‘ 15 day of September, in the year of God, 1567, the saids persons
 “ ‘ refused to give their said profession by their hand writs. In respect
 “ ‘ wherof, the said Lord Regent’s Grace, with advice of the saids Lords,
 “ ‘ have found the saids persons dangerous and unmeet to have the care
 “ ‘ of the instruction of the youth, for the perril of inconveniencies both to

P. 13.

“ ‘ body and soul, wherfor, and in respect of the Act of Parliament,
 “ ‘ that none be permitted nor admitted to have charge and cure in
 “ ‘ Schools and Universitys, nor instruct the youth privatly nor publickly,
 “ ‘ but such as shall be tryed by the Superintendants and visitors of
 “ ‘ Kirks; as for the saids persons denying to joyn in the true Kirk of
 “ ‘ God, according to the said confession of faith, my Lord Regents
 “ ‘ Grace, with advice of the saids Lords, declareth and decerneth, that
 “ ‘ the saids persons are and shall be deprived, and presently are de-
 “ ‘ prived, *ipso facto*, of all instruction of youth within this realme, of
 “ ‘ all honnours, dignitys, functions, preheminance, faculties, and privi-
 “ ‘ ledge, within the said Colledge, and ordeaneth letters to be direct,
 “ ‘ charging them to remove, desist, and cease therfra, to the effect that
 “ ‘ other qualified persons, of sound doctrine and sufficient litera-
 “ ‘ ture may be placed therein for instruction of the youth in time
 “ ‘ coming.’

“ The forsaid decreet of My Lord Regent’s Grace intimated to us
 “ with the proces used against the saids persons, the which we did
 “ most heartily allow, and gave God thanks therfor; and because the
 “ errors and obstinacy of the forsaid persons wer sufficiently declared
 “ unto us by their refusall to subscribe the Godly articles forsaid, as
 “ the act of council testifyeth, we thought it not expedient to proceed
 “ further in tryall of them; and, therfor, in presence of Alexander
 “ Anderson, Principall, and Mr. Andrew Anderson, Regent, who only
 “ compeared, we pronounced the sentence against them, conform to the
 “ decreet of the Council, as followes:

“ I John Areskine, Superintendant of Angus and Mernes,
 “ having commission of the Kirk to visit the Sherriffdome of Aber-
 “ deen and Bamf; be advice of council and consent of the minis-
 “ ters, elders, and commissioners of Kirks present, decern, conclude,
 “ and for final sentence pronounce, that Mr. Alexander Anderson,
 “ sometime Principall, Mr. Alexander Galloway, sometime Sub-
 “ principall, Mr. Andrew Anderson, Thomas Ousten, and Duncan
 “ Norrie, somtimes Regents in the Colledge of Old Aberdeen, are
 “ not to be reputed as members of this Kirk, and therfor seclude them
 “ and every one of them, from using any office or jurisdiction in the

“colledge of Old Aberdeen, and inhibite them, and every one of them, to teach publickly or privately in time coming in that colledge, or any other part within this realme, and ordeane them to remove furth of the said colledge with all diligence, that other godly and well qualified persons may be placed therin, for bringing up the youth in the fear of God and good letters. This our sentence pronounced, we ordeane to be published and intimated to the saids persons, and to the congregation of New and Old Aberdeen, publickly, the next Sunday, the 3d of July, 1569.”

Thus, that University was purged from their old Popish teachers, who had too long corrupted the youth, and their parents in the North, and disseminated disaffection to the government. The reader, who desires a further character of Principall Anderson, will find it in Knoxes printed History, fol. p. 282-3. He was Sub-Principall, 1561, and had a conference before the council with Mr. Knox and the ministers, there narrated. He refused to disput about his faith, citing a passage of Tertullian to cloak his ignorance; to which, Mr. Knox answered, Tertultian's authority did not ballance that of the Holy Gost in Peter, requiring every one to give the reason of his faith when asked. And when urged, that mass was idolatry, and the preist took on him Christ's office, in offering it a sacrifice for sin, as the words of the canon in the mess book import, “*Suscipe sancta Trinitas hanc oblationem, quam ego indignus peccator offero Tibi vivo Deo et vero, pro peccatis meis, et pro peccatis totius ecclesiæ vivor et mortuor.*” The Sub-Principall answered, that Christ offered the propitiatory, and none could do that but he, but we offer the remembrance. After Mr. Knox had shewen how contrary this was to the papisticall doctors, and exposed the absurditys in offering a remembrance, Mr. Anderson waved any further reasoning, adding, he was better seen in philosophy than theology. Mr. John Lesly, than parson of Urie, and afterward Abbot of Lindors and Bishop of Ross, being urged to answer Mr. Knox, he said, “If our master have nothing to say to it, I have nothing; for I know nothing but the canon law, and the “greatest reason ever I could find there, is *Nolumus and Volumus.*” This afterward came to be a by-name, wherby Mr. Lesly was known. Upon the purging of this colledge, Mr. James Lowson was made Sub-

Remarks on
Principall Anderson,
turned out at this time.

P. 14.

Principall, and Mr. Alexander Arbuthnot, and many other shining lights in this Church, taught in that University.

He is a member of the Convention, July 28, 1569.

Upon the 28 of July, 1569, the Regent called a Convention of Estates at Perth, upon a very ticklish subject—an application to him by the Lord Boyd, in name of the King's mother, backed with letters from the English ministers of State, with proposalls of conditions, upon which the Queen Mother was to be taken back to Scotland. This affair stands pretty fully in Spotswood's History, p. 229–232, and I need not repeat what is there. Of this convention the Superintendant was a member as provost of Perth [Montrose], and I doubt not was very usefull to the Regent, and those who stood for the King's authority. I meet with a list of the Members of this Convention, among some papers I have from the Cotton Library, Caligula C. 1., which not being published, and containing the persons of note upon the Regent's side, and the cheife of the

List of that Convention.

App. No. III.

other, I thought it might be acceptable to the curiouse reader, and have added it, App. No. [III.] I have also added the instructions given by the Regent, to the Commendator of Dumfermline, when sent Ambasadour to [the] Queen of England, October, 15, 1569, which contean the fullest view I have any wher seen of the state of the Queen Mother, and what those who stood in behalf of the King's authority and the Reformation, had to offer against the proposall made to re-admitt Queen Mary, after her renunciation, to Scotland. This large paper stands App. No. [IV.] These papers fall not in among Mr. Anderson's Collections, and will be new to most of my readers.

Instructions to the Commendator of Dumfermling, October, 15, 1569.

App. No. IV.

The Laird of Dun's prediction of the good Regent Murray, his death, 1569,

In the beginning of the next year, 1570, the good Regent was basely murdered in Linlithgow. I have the following remarkable passage from two ministers of this church, once in the family of Dun, which is handed down in that family as an undoubted truth; and its an evidence that Sir John Erskine, besides his great learning, wisdom, and other abilitys, was a person who lived near God, and somtimes had communications of future things vowsaved to him. The Regent was over in Lochlevin with the Earle of Northumberland, whom he had catched after the late rebellion raised by him and other Papists in England was suppressed, and had made prisoner there about the 2d of January. He came and lodged with the Superintendant of Angus, in the house of Dun, wher they yet know

a large window at the end of the old hall there, which looked out to a pleasant green. The Earle of Murray, and the Laird of Dun wer standing in that window, conversing closely upon important matters, with their faces looking towards the green. While the Regent was talking, the Superintendant suddainly looked about to him, and with the greatest sorrow, and tears in his eyes, after he had been silent for some[time], at lenth interrupted the Regent with these words, “Ah! woes me, my Lord, “for what I perceive is to befall you shortly, for in a fortnight’s time you “will be murdered.” Such hints of future things wer not uncommon among our reformers, as I have more than once noticed. And the Regent had severall other for-noticees of his hazard, as well as this, and too litle regarded them.

After the wicked murder of the Regent, things soon went in great confusion, both in State and Church, and matters wer in great perturbation for two or three years. The good work of Reformation, which under the Earle of Murray was coming gradually to greater hights was stoped; severall ministers began to perceive the inconveniencies of superintendants, and consultations were beginning, how to bring the discipline and goverment of this Kirk, at present only in the Assembly, Synods, and Kirk-Sessions, to greater measures of reformation and perfection. But all was for many years marred by the Regent’s death, and esayes of this nature were cunningly enough turned about to the introduction of Tulchan Bishops, under the pretext of bettering the discipline, and securing the patrimony of the Church. In July, 1570, the Earle of Lennox, the young King’s grandfather, was declared Regent, but the Earle of Mortoun was the cheife manager of every thing under him. And that he might be master of the Church rents, and by gifts of them to the nobility, while some ministers had the offices to which they wer anexed, with a very small pittance of the emolument, secure them to his side, the Earle fell upon the politick of bringing in the Tulchan Bishops, so called from *Tulchan*, a calf of straw covered someway, which was used in the Highlands to make coves give their milk the better to their owners. This contrivance was favoured by Mr. Patriek Adamson; and some say he was the first mover of it to the Earle, and gradually caryed on by the help of the Laird of Dun, Mr. David Lindsay, Mr. Andrew Hay, and a few others, in the

Which brought a great stop to the Reformation, and an opportunity to the Earle of Morton to bring in Tulchan Bishops.

P. 15.

The import of the name, and some hints at the method of their introduction.

convention at Leith. These and some others, by their good nature and the difficultys of the times, and fears of a breach with the Earle of Mortoun, and the Regent, wer drawn gradually in to give too much countenance to this corruption, from the prospect of a better provision to be made for the Ministers of the Gospell, in which, however, they wer disappointed. And as soon as the publick peace of the nation was established, and the Queen's party were broken in the 1573, even before Mr. Andrew Melvil was in our judicatorys, struggles against this corruption wer begun, and afterwards earyed on; in which the Laird of Dun and others, who at first had not much considered our government and discipline, engaged very heartily, all the Earle of Mortoun's regency, till Presbitrys wer got set up, and this poor shaddow of Bishops was gote rid of. This part of our Church history being evidently, though but shortly and cunningly enough, perverted by Bishop Spotswood, and not yet standing in its full light, I shall in this place, because the good nature and weight of the Superintendant of Angus, went far with the Ministry to give in to this innovation, labour to give a fuller account of it than has been yet given, especially from Mr. Calderwood's MS.

Proceeding of
the General As-
sembly, March,
1571, about the
jurisdiction of
the Kirk,

In the Assembly, March, 1571, whither in prosecution of the designe of further reformation in discipline laid in the last Regent's time, or to counter the designes that wer now beginning to be laid in secret for innovations, I do not determine; but the Assembly in their first session, come to take the jurisdiction of the Kirk, under their consideration, thus as it stands in their records: "Anent the jurisdiction of the Kirk, and
" what ought to pertaine therunto, and to be suited for at the Regent's
" hands, the Assembly ordeans the Superintendants of Angus and Fife,
" Mr. John Knox, Mr. Robert Pont, Mr. John Row, to convene every
" day at seven hours, and pen and put in order the heads and points in
" all sorts pertaining to the ecclesiasticall jurisdiction, and thereafter to
" present the said heads to the Assembly, to be sighted and considered
" by them, and to be sent by them to the Lord Regent's Grace, with the
" instructions to be given to the Commissioners who are to be sent to his
" Grace."

The rise of
this motion.

This motion as I take it came from Mr. Knox, and the most zealous and fervent part of the ministry, who, sensible of the inconveniencies of the

temporary offices of readers, exorters, and superintendants, and some other things in the First Book of Discipline, which needed further degrees of reformation, ministers being now increased, and many daily ripning for that work, and things much altered to the better from what they wer when that book was formed—in a word, what was now in their view, was what afterward was brought to a bearing in the Second Book of Discipline. The confusions and unsetlednes of things in the country and the short time they had to sit, hindered them from coming to any perfection at this time. However, they soon presented the following Articles pertaining to the jurisdiction of the Kirk to be proponed to the Regent and Secret Council, to be approved by the Assembly. P. 16.

“ That the Kirk have the judgment of true and false religion or doctrine, heresys, or such like, annexed to the preaching of the word and ministration of sacraments, election, examination, and admission of them that are admitted to the ministry or the other functions in the Kirk, charge of souls and ecclesiasticall benefices, suspension and deprivation of them therefra for lawfull causes ; all things concerning the discipline of the Kirk, which standeth in correction of manners, admonitions, excommunications, and receiving to repentance, the judgment of ecclesiasticall matters betwixt ecclesiasticall persons that are of the Kirk, and specially among those that are constitute in the ministry as well concerning beneficiall causes as others ; jurisdiction to proceed by admonition to the sentence of excommunication, if need require, against those that rob the patrimony of the Kirk, or otherwise intromet therewith unjustly, wherby the ministry is in danger to decay through poverty of the ministers; and because the conjunction of marriage perteaneth to the ministry, the causes of adherence ought also to pertain to them, as naturally anexed therunto.”

Articles anent
the jurisdiction
presented to the
Assembly.

These generalls wer what was thought proper in the first room to insist on, and many other things needfull for further reformation wer in the thoughts of Mr. Knox and others, to be propounded afterwards as occasion offered. But all this designe was for a while defeated by quite other projects suggested, as is probable by Mr. Patrick Adamson to the Earle of Mortoun, who soon brought in the Regent to it. The Regent moved in the entry of this Assembly that they should adjourn to Stirling

or Glasgow, wher he was to conferr with them. This was waved, and the committy above named for the jurisdiction of the Kirk, named in the first session, and in the second session, a servant of the Regent's came with the following letter.

Message from
the Regent to
the Assembly.

P. 17.

“ After our most hearty commendations, wheras we have some matters
“ to be consulted upon befor you, both concerning the state and affairs
“ of the Church, as also the King's Majesty and commonwealth of this
“ country, and because we may not yet depart from these parts while we
“ have put order to such confusion of things as occurs, also sundry other
“ impediments moving us ; we desire you most effectously, that ye would
“ appoint your next assembly to be holden here at Glasgow, and that
“ with all godlie diligence, that ye may, at the least, that a part of you
“ may be sent hither sufficiently authorized with commission from the
“ whole number, to treat with us anent such things as shall be both for
“ the Kirk and King's estate and commonweel of [the] country, wherin
“ ye shall do us most speciall pleasure. Referring all other things to your
“ coming, committeth you in the mean time to the protection of God.
“ From Glasgow, the 3d of March, 1570.”

Remarks on
it with the Ge-
neral Assem-
bly's appoint-
ment in pursu-
ance of the Re-
gent's desire.

This was Adamson's cunning way ; he brings the Earle of Mortoun and by him the Regent to desire a select number of ministers to conferr with him, with commission from the rest, and care was taken to nominat such with whom the courtiers thought they would prevail ; though many of them wer worthy men, yet they are only superintendants and commis-sioners, who wer willing to be disburdened of their troublsome charge ; and probably the more ready to come in to the designs on foot, and the King's minister with some gentlemen ; Mr. Knox I find is not named, its probable his low state of health made him excuse himself. In answer to this letter the assembly grant the commission [to the] following persons. “ Edinburgh, March 6th. The bretheren assembled in an voice
“ and mind gave their full commission and power to their honourable and
“ their loving bretheren, John Areskine of Dun, Knight, superintendant of
“ Angus and Mernes ; Mr. John Winrame superintendant of Fyfe ; Mr.
“ John Spotswood, superintendant of Lothian ; Mr. George Hay, com-
“ missioner of Aberdeen ; Mr. Andrew Hay, commissioner of Cliddisdale ;
“ Mr. David Lindsay, commissioner of Kyle and Cunninghame ; Mr. John

“ Row, commissioner of Galloway; John Duncanson, minister of the King’s
 “ Majesty’s household; Mr. William Lundie of that ilk; James Johnstoun
 “ of Elphinstoun; Alexander Foster of Carden; John Lockhart of Barr;
 “ Hugh Wallace of Carnall; Mr. John Fullartoun of Dreghorn; Mr.
 “ John Preston, one of the commissioners for the town of Edinburgh, or
 “ any ten of them to compare before my Lord Regent’s Grace and council
 “ in Stirling, the last day of this instant moneth, or any other place wher
 “ my Lord Regent’s Grace shall appoint, due advertisement preceeding, and
 “ there in the Kirk’s name most humbly propound, sue and declare
 “ articles, heads, supplications and complaints delivered to them by the
 “ Kirk’s most humbly requesting for answer hereunto, conferr, reason,
 “ and conclude with his Grace and Counsell upon such heads and articles
 “ as shall be propounded unto them by his Grace and council forsaide,
 “ according to the Assembly’s instructions given to their said bretheren;
 “ assist, concur, and consent to all and whatsoever other things that
 “ shall be treated, tending to the glory of God, setting forward the
 “ preaching and mentaining of the true religion within this country, the
 “ King’s Majesty and commonweel of this realme, and whatsoever shall
 “ happen to be done be them in the premises, to report the same to the
 “ General Assembly of the Kirk to begin in Stirling the 6 day of
 “ Agust next to come, stable and firm holding and for to hold all and
 “ whatsoever the saids bretheren or any ten of them in the premises
 “ conclude to be done. Given in the General Assembly of the Kirk,
 “ and second Session therof, and subscribed by the Clerk of the same,
 “ year and place forsaide.”

P. 18.

That same session the Assembly agreed to the following injunctions
 to the commissioners sent to the Regent’s Grace and Counsel to be
 proponned, concluded, and reasoned upon.

“ That his Grace and council grant and consent that no disposition of
 “ any benefice, or presentation be made of any person without the admis-
 “ sion and collation of the Kirk following upon just presentations; and
 “ if any disposition of benefices be made to any person or persons, that
 “ the same be discharged and brought back again, to the end that such
 “ may have no place in times coming. Item, that some order be taken
 “ with some horners and persons disobedient, that payment may be had

Assemblys
 instructions to
 their commis-
 sioners sent to
 the Regent.

“ of them that disobey. Item, that his Grace and council approve the
 “ jurisdiction of the Kirk, conform to the particular information given
 “ therupon. Item, that such horrible crimes be punished as provock
 “ God’s wrath against the realme, such as idolatry, incest, adultery, and
 “ other like hainous crimes ; and commissioners of justice be appointed in
 “ every province for that effect. And in like manner that ye agree, con-
 “ ferr, and conclude with his Grace and counceill touching the pension
 “ concerning the King’s Majestys house, and also concerning my Lord
 “ Regent’s house, anent the pension to be appointed therunto. And,
 “ finally, to reason, conferr, and conclude with his Grace and counceill
 “ forsaid, concerning the appointment made betwixt the Kirk and my
 “ Lord Regent’s Grace now resting with God, as shall be thought expe-
 “ dient and agreable to God’s glory, to the comfort and utility of his
 “ Kirk, the preservation of this commonwealth, and due obedience to the
 “ King’s Majesty our Sovereigne. In the first, that his Grace would be
 “ content to take horners for payment. 2d. That he be paid *secundum*
 “ *ratam*, according to the payment of ministers. 3d. That he will dis-
 “ charge in this respect, the superplus, if any wer, to be employed in
 “ pious uses. Item, to give answer to my Lord Regent’s Grace as to
 “ M^cQuhyn and his companions, as also for preservation and upholding
 “ of the Kirk of Glasgow, and upholding the lead therof. Item, to
 “ remember Mr. Robert Hamiltoun minister of Saint Andrews for pay-
 “ ment of his stipend.”

The Laird
 of Dun’s bounds
 as superintendant
 extended to Dunke’d
 with the Assembly’s
 orders as [to] Mr. Patrick
 Adamson.

This Assembly I see also ordean the Superintendant of Angus and Mernes, to visit Dunkeld, plant ministers there, expell idolatry, visit schools and colledges, as he useth to do in his own bounds, and exercise and use all other things perteaning to the office of a Superintendant. Further, the Assembly brotherly required Mr. Patrick Adamson to enter again to the ministry, in respect of the good gifts God had given him, and scarcenes of ministers in diverse countrys. He answered he would advise with himself, and brethren who loved him, till the next Assembly; and promised then to answer whether he would then enter into the ministry, or withdraw himself utterly. He had withdrawnen from the ministry, and was much about the Earle of Mortoun, perhaps in his family, dabling in politicks, and forking for one of the Tulchan Bishopricks, which faling him,

as we have notticed in Mr. Knox Life, he declared himself against Prelacy, at Mr. Douglas admission as Bishop of St. Andrews.

I do not find any report from the Commissioners thus sent to the Regent at the next Assembly, Agust 6, 1751, [1571.] Its probable that matters wer not yet ripe for opening up the designed scheme of Tulchan Bishops, and so the Assembly renew the commission to those above, with some additions, of David Ferguson, and some gentlemen not named before, with their powers as above. Mr. Knox, as is to be seen in his life, warned the Assembly of their hazard from Mr. Adamson and the Tulchan Bishops. This affair was not to be brought to an Assembly, till a good many of the ministers wer brought into it more privately, on different views. Bishop Spotswoods account of this Assembly, I shall delay considering, till I make some reflexions upon the whole of this account.

The next Assembly, Agust 1571, renew their commission.

P. 19.

The bringing of Tulchan Bishops is a part of our history that stands not so distinctly in either Bishop Spotswood, or the printed Calderwood, and therfor I shall labour the more clearly to state it. Bishop Spotswood is out in making the proposall to be from the gravest part of the ministry, and at the Assembly in Stirling, Agust this year; since its plain the motion came not from the ministry, no not the Superintendants, who reconed their jurisdiction leased by this innovation, but from the Earle of Mortoun stirred up by Adamson: and the attempts to bring the ministry to comply with the project, wer begun in March, and no doubt continoned at Stirling in Agust, and yet all that was got done was the nomination of a committy to treat with the Regent and Councill, with the instructions above-mentioned, and powr to apply about the whole of what was greivous to the Church. No doubt, the members wer plyed hard by the Earle of Mortoun and his doers, with what success I cannot say. The whole commissioners seem to have stood firm against the imposition at the Parliament, and we shall here [hear] with what keenes the good Laird of Dun writes on this subject in November, in his first letter just now to be insert. When the Earle of Mortoun finds greater opposition than he expected among the ministers, he resolves to do that by force, and his influence with the Regent and councill, which he could not accomplish by the consent of the commissioners named by the Generall Assembly, hoping to gain his purpose afterward in privat among some of

Remark on Spotswoods account of this Assembly with the methods taken by the Earle of Mortoun for setting up Tulchan Bishops.

the commissioners, when once he had by act of Council brought in one of these Bishops, and got him to vote in Parliament as Bishop of St. Andrews, and this way he carryed his designe at lenth.

His views
in bringing
them in, and
the persons he
this way de-
signed to grati-
fy by gifts of
the temporal-
ties.

And Mr. Calderwood gives us some hints that let us in to some of the views the Earle had is [in] this invasion made on the libertys and rights of the Church. The temporalitys of the Bishopricks and their rents wer a good bait, and what he reconed would be of good use to himself, and such as he inclined to have his freinds. He was now endeavouring to divide the party who stood up for the Queen, and to take the cheife of them off from Lethingtoun, the Hamiltouns, and others, now masters of the castle and town of Edinburgh, who had called a Parliament to meet there in the Queen's name, in opposition to the King and Regent. Accordingly, Agust 9, he got a meeting with the Earles of Argyle, Cassiles, Eglingtoun and Lord Boyd, who hitherto leaned to the Queen's side, and in a day or two, he had another meeting with the Earles of Crawford, Errol and Rothes. His project of seizing the rents of the Bishopricks and other large benefices, enabled him to give some of these pretty strong arguments to joyn with the Regent against the other side. The Archbishoprick of St. Andrews he reserved indeed for himself, the Lord Boyd had a good share of those of Glasgow, Argyle had those of Dumblain, and no doubt others had promises and shares of Priorys, Abbacys, and the like. By these, and other arguments, he got a considerable part of the other party to the Regents side.

Mr. John Douglas is presented, Agust 18, to the Bishoprick of Saint Andrews, and sits in Parliament Agust 28, 1571,

Being thus engaged, he behoved to go through with his project, and began, as most part of the worlde does, with himself. Accordingly, Agust 18, Mr. John Douglas, Rector of Saint Andrews, was presented to the Bishoprick of Saint Andrews; he was now very aged—came in to the proposall easily, and was content with a very small portion of the rents, and the rest went to my Lord Mortoun. Corrupt men, not one of them of any reputation in the Church, wer gradually fallen upon, who consented to take the name of the rest of the Bishopricks, and a small pittance of their rents, and the rest went to the noblmen. Mr. Patrick Adamson was disappointed of a Bishoprick, particularly that of Saint Andrews, and so, as is to be seen on Knox Life, preached against this innovation and imposition; when Mr. Douglas was admitted. I do not find any Act of

Parliament interposed for bringing in this new kind of Bishops, only the Regent and councils authority seems interposed in the presentation, and when presented, the Parliament tacitely consent (and we need not now wonder) to Mr. Douglas vote there as Bishop of Saint Andrews,

Which brings me to the meeting of the Parliament at Stirling, Agust 28, wher the young King was present, and had a speech put in his mouth. His ominous saying, which our printed historians relate, on his observing a hole in the roof of the place wher they met, *that there was a hole in the Parliament*, was much noticed upon his grandfathers death in a few dayes, and might have been as well applyed to the Tulchan Bishops being ther, though indeed ther was nothing in it as to either. Upon the last of Agust the commissioners of the Assembly above named, gave in the articles of the Assembly, craving that benefices should only be bestowed on qualified persons, which qualifications should be tryed by the Kirk, that manses and gleibes be not set in fen, but possessed by ministers, that idolatry, incest, and other crimes, be punished, and what was committed to them by the Assembly to lay before the Regent. Mr. Calderwood adds, their petitions were contemned, and the ministers wer called proud knaves, and received many injurious words from the Lords, especially the Earle of Mortoun, who ruled all then. The Regent when they waited on him approved of all their petitions, but the Earle said, he would lay their pride, and put order to them, adding many injurious words.

The Superintendant of Fife, no doubt by the advice of the rest of the commissioners of the Assembly now at Stirling, inhibited Mr. John Douglas, Rector of Saint Andrews to vote at this Parliament, in name of the Kirk, till he be admitted by the Kirk, under pain of excommunication. The Earle of Mortoun commanded him to vote as Bishop of Saint Andrews, under pain of treason. What the poor old man did, I know not; its probable the chancelours command would sway most with him. Mr. John Row, minister at Perth, denounced judgments against the Lords for their covetousnes, and the hard answers given to the commissioners of the Kirk. Among other things, he said, "I care not, my Lords, if you will be displeased, for I speak my conscience before God, who will not suffer such wickednes and contempt to go unpunished." He was called a railer, and seditious knave, and the rest of the ministers got the

Wher the commissioners of Assembly present their Articles, and are browbeaten by the Earle of Mortoun.

They inhibit the Bishops to vote in name of the Kirk till admitted.

like, or worse names. Upon Tensday following, September 4, 1571, the Earle of Lennox was slain, as was thought, by the procurement of the Hamiltouns, of which our printed historians give accounts; and after his buriall the Earle of Argyle, Mortoun and Marr wer put on the lite, and the last was chosen Regent.

Ministers are
forced in to
[be] Tulchan
Bishops, and
the Laird of
Dun stands out
for som time.

When the Parliament was up, all methods were taken to prevail with the ministers to come in to the 'Tulchan Bishops. The violence with which the Earle of Mortoun pushed this matter, prevailed with some of the commissioners and superintendants to think of yeilding, when they saw struggles wer in vain. But the Laird of Dun for a season stood holdly out against this imposition, as appears by his letter to the Regent, November 10, which, though long, deserves a room here, as conteaining his sentiments on this matter, and it followes from Calderwoods MS.

His letter to
the Earle of
Mar, Regent,
November 10,
1571.

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“ I thought it expedient in write to let your Grace know my judgment in these articles and heads conteained in your Graces last writing. As to the pension appointed before unto the Regent's house, as I understand, litle diffiently will be therin, your Grace doing your duty to the Kirk, the which I pray God your Grace may do. As to the provision of benefices, this is my judgment. All benefices of teinds, or having teinds joyned or annexed therunto, which is taken up of the peoples labors, have the offices joined unto them; which office is the preaching of the Evangell and ministration of the sacraments; and this office is spirituell, and belongeth to the Kirk, who only hath the distribution and ministration of spirituell things; so be the Kirk spirituell offices are distributed, and men received and admitted therunto; and the ad-ministration of the power is committed be the Kirk to Bishops or Superintendants, wherfor to the Bishops and Superintendants perteaneth the examination and admission of men to offices and Benefices of spirituell cure, whatsoever benefice it be, as well Bishopricks, Abbaeys and Pories, as other benefices inferior. That this pertaineth by the Scriptures of God to the Bishops or Superintendants is manifest, for the Apostle Paul writeth in the 2d to Timothy, chap. 2, ver. 2. ‘ These things that thou hast heard of me, many being witness, the same deliver to faithfull men, who shall be able to teach others.’ Here the Apostle referreth the examination to Timothy of the quality and ability

“ of the persons, wher he sayeth, ‘to men able to teach others,’ and
 “ also the admonition he referreth, wher he biddeth *deliver to him*, the
 “ same that is *able to teach others* ; and in another place, 1 Tim. chap.
 “ 5, ver. 22, ‘ Lay hands on no man sudainly, neither be partaker of other
 “ ‘ mens sins, keep thyself pure.’ By laying on of hands, is understood
 “ admission to spirituall offices, which the Apostle will not that Timothy
 “ do suddenly, without just examination of their manners and doctrine.
 “ The Apostle also writing to Titus, Bishop of Crete, putteth him in
 “ remembrance of his office, which was to admitt, and appoint ministers
 “ in every city and congregation, and that he should not do the same
 “ rashly, without examination, he expresseth the quality and conditions
 “ of such men as should be admitted, as at lenth is conteaned in the first
 “ chapter of the Epistle forsaid. The deacons which wer chosen in
 “ Jerusalem be the whole congregation, wer received and admitted by the
 “ Apostles, and that by laying on of their hands, as St. Luke writeth in the
 “ 6th chapter of the Acts of the Apostles. This we have expressed
 “ plainly by the Scriptures, That to the office of a Bishop pertaineth
 “ examination and admission to spirituall cure and office, and also to
 “ oversee them that are admitted, that they walk uprightly, and also exer-
 “ cise their office faithfully and purely. To take this power from a Bishop
 “ or Superintendant, is to take away the office of a Bishop, that no Bishop
 “ be in the Kirk, which were to alter and abolish the order that God
 “ hath appointed in his Kirk. Ther is a spirituall power and jurisdiction
 “ which God hath given to his Kirk, and to those who bear office therein,
 “ and ther is a temporall jurisdiction given of God to Kings and civil
 “ magistrates. Both the powers are of God, and most agreing to the
 “ fortifying one another, if they be right used. But when the corruption
 “ of man entereth in, confounding the offices, usurping to himself what
 “ he pleaseth, nothing regarding the good order appointed by God, then
 “ confusion followeth in all estates. In the first Book of the Kings, 12
 “ chap., it is written that Jeroboam the King, in presumption of his
 “ authority, made Preists in his realme, express against the order which
 “ the Lord in those dayes had appointed concerning the priesthood, wher-
 “ upon followed [the] destruction of that king, and his seed also, as also
 “ of all other kings who followed him in that wickednes. For better un-

“ derstanding of this matter, Christ hath given forth a rule which ought
 “ to be weighed of magistrates, and of all people, saying, ‘ Give to Cæsar
 “ ‘ that pertaineth to Cæsar, and to God that which pertaineth unto God.’
 “ The Kirk of God should fortify all lawfull power and authority
 “ that pertaineth to the civil magistrat, because its the ordinance of
 “ God, but if he pass the bounds of his office, and enters the sanctuary
 “ of our Lord, meddling with such things as apperteane to the ministers of
 “ God’s Kirk, as Uzzia King of Judah, 2 Paralip. 16, entering into the
 “ temple to burn incense, the which pertained not to his office, then the
 “ servants of God should withstand his unjust interprize, as the Preists
 “ at that time did withstand the Kings of Judah, for so they are com-
 “ manded of God. The servants of God, when such wickednes occureth,
 “ should not keep silence, flattering princes in their vain pride, but with-
 “ stand and reprove them in their iniquity ; and who doth otherwise in
 “ God’s Kirk, is unworthy to bear any office. A greater offence and
 “ contempt of his Kirk can no prince do, than to set up by his own
 “ authority men in spirituall offices, as to creat Bishops and Pastors of
 “ the Kirk, for so to do is to conclude no Kirk of God to be, for the
 “ Kirk cannot be, without it have the awn proper jurisdiction and liberty,
 “ with the ministration of such offices as God hath appointed. In speak-
 “ ing this of the liberty of the Kirk, I mean not the hurt of the King,
 “ or others in their patronages, but that they have their priviledges of
 “ presentation according to the lawes, providing alwise that the examina-
 “ tion and admission pertain only to the Kirk, of all benefices having cure
 “ of souls. That it should not appear that the pastors of the Kirk, of
 “ avarice and ambition, seek to have posesion of great Benefices, your
 “ Grace shall understand, that the Kirk continoually hath suited (of old
 “ as well as of new) as their articles concluded in the General Assemblys,
 “ and consented to, and subscribed by the most part of the nobility,
 “ which are to be produced, bear, and was propounded to the Queen, the
 “ King’s Majestys mother, to wit, that whenever any of the great Benc-
 “ fices vake, having many Kirks joyned therunto, that all the Kirks should
 “ be divided, and severally disposed to severall men, to serve every one at
 “ his own Kirk, of the which mind all that bear office in the Kirk con-
 “ tinow ; wherfor it may appear that they seek not of avarice such pro-

“ motion as is alledged. And I doubt not but if others of the nobility wer
 “ as well purged of avarice, and other corruption, as the ministers of the
 “ Kirk, they would have agreed to fulfill that thing which they subscribed
 “ with solemn oath. And as yet the Kirk most humbly suiteth your P. 22.
 “ Grace, and counsell to have the same fulfilled, but if this cannot be
 “ granted, I mean the dismembering, as they call it, of great benefices,
 “ I trust, in respect of this confused troublesome time, the Kirk will con-
 “ sent (the benefices and offices joynd therunto being given, after the
 “ order before spoken of, that the priviledge and liberty of the Kirk be
 “ not hurt,) to assign such profite as may be spared above the reasonable
 “ sustentation of the ministry, to the mentenance of the authority and
 “ common affairs for the present, while further order may be tane in these
 “ matters; for the Kirk contendeth not for worldly profite, but for
 “ that spirituall liberty which God hath given unto it, without the which
 “ be granted, the servants of God will not be satisfyed, but will oppose
 “ themselves against all power and tyrranny, which presumeth to spoil the
 “ Kirk, of the liberty therof, and rather to dye than underly that miser-
 “ able bondage. Their lives are not so dear to them as is the honnour
 “ of God, and liberty of his Kirk. I hear some men bragg and boasts
 “ the poor ministers of God, to take their lives from them, but I wish
 “ such men contean themselves within bounds, for they are not sure of
 “ their own lives, and to runn that race will make it more short. Of old,
 “ the Papists called the truth *heresy*, and now some call the truth *treason*.
 “ We may perceive in all ages and times Satan wanteth not his servants
 “ to impugne the truth. As to the question, If it be expedient for a
 “ Superintendant to be wher a qualified Bishop is? I understand a
 “ Bishop and Superintendant to be but one office, and wher the one is,
 “ the other is. But having some respect to the case wherupon the ques-
 “ tion is moved, I answer, the Superintendants that are placed, ought to
 “ continow in their offices, notwithstanding any other intruse themselves,
 “ or are placed be such as have no power in such offices. They may be
 “ called Bishops, but are no Bishops, but idols, Zach. 11. 17, saith the
 “ Prophet, and therfor the Superintendants which are called and placed
 “ by the Kirk, have office and jurisdiction, and the other Bishops, so
 “ called, have no office and jurisdiction in the Kirk of God, for they enter

“ not by the dore, but by another way, and therefore are not pastors, as
 “ saith Christ, but theives and robbers. I cannot but from my very heart
 “ lament that great disorder used in Stirling at the last Parliament, in
 “ creating Bishops, planting them and giving them vote in Parliament as
 “ Bishops, in despite of the Kirk, and high contempt of God, having the
 “ Kirk opposing itself against that disorder, but they wer not heard,
 “ but boasted with threatnings; but their boasting is not against man,
 “ but against the Eternall God, whose ordinance publickly they trans-
 “ gressed, what followed thereupon is knowen. God hath power to de-
 “ stroy and to save, he is Almighty Lord, able to preserve the innocent,
 “ and cast down the pride of the mighty. I hear that some wer offended
 “ with the commissioners of the Kirk at that time, but without cause, for
 “ they passed not the bounds of their commission, and the whole Kirk
 “ will affirm their proceedings, and insist further in that matter. If that
 “ misordered creation of Bishops be not reformed, the Kirk will first
 “ complean unto God, as also to all their bretheren members of the
 “ Kirk within this realme, and to all reformed Kirks withiu Europ.
 “ Some counsellors think now good time to conquest from the Kirk
 “ (being, as they judge, now poor and weak,) priviledges and profits to
 “ the temporall authority, but if ther wer no other particular respects but
 “ the authority, I judge they would not travell so bussily; but what
 “ respect soever they have, their unrightious conquest and spoil of the
 “ Kirk, shall not profit them, but rather be a cause to bring plagues and
 “ destruction both upon the head and conselors of such an abomination.
 “ Because the servants of the Lord speak in this matter, reproving mens
 “ corruptions, they are called proud, and misknowers of their own place,
 “ and know not with whom they deal, as though they wer gods, and yet
 “ are but flesh. Let such men understand of whatsoever state they be,
 “ that the ministers of Gods Kirk have received an office of God above
 “ them, wherunto they ought to be subject and obedient, and have re-
 “ ceived a ritcher treasure than they, though it be in earthen vessels, as
 “ saith the Apostle Saint Paul, 2 Cor. Chap. 4, ver. 7. And have received
 “ a power of God to cast [down] and destroy the pride of men, and to
 “ bring in subjection all things that exalt themselves against God, 2 Cor.
 “ 10, 5. The Lord will not that his servants in executing and using

“ their office should fear men, how mighty and potent soever they appear
 “ to be, as it is written, Esai. 51. 7. ‘ Fear not the reproaches of men,
 “ ‘ neither be affrayed of their rebukes and threatnings, for the moth shall
 “ ‘ eat them up like a garment, and the worm shall eat them as wool ; but
 “ ‘ my righteousness shall be for ever, and my salvation from generation to
 “ ‘ generation.’ The Spirit of God entering into the hearts of his servants,
 “ giveth them such a tast of his power and majesty, and a sight of his
 “ judgments, that with them the enemies of God and his Kirk are nothing
 “ regarded, but counted as dust before the wind, and as wax before the
 “ fire, unable to stand, but are to perish in the day of the Lords visita-
 “ tion. They will, according to their power, reprove all ungodlines, and
 “ withstand all iniquity ; and as to the malice and trouble raised against
 “ them by the wicked powers of the worlde to their own damnation, they
 “ will patiently endure, for there consisteth the patience of the saints, for
 “ they see a glorious end to follow thereupon. Some men in their cor-
 “ ruption, (as their minds have declared,) purpose in time of trouble,
 “ craftily to handle the Kirk, while all their troubles be pacified. Let
 “ such men understand that such evil purposes make the trouble to con-
 “ tinow the longer. But though the troubles wer pacified, and they
 “ confederat with England, France and Spain, and all other earthly king-
 “ domes, yet shall they not be able to destroy the Kirk of God, and liberty
 “ therof, for the mighty God who hath been a protector of his Kirk in all
 “ ages, and hath destroyed and casten down great impires and kingdomes
 “ that made battail against his Kirk, shall use the same judgments against
 “ all men that in thir dayes intend the like ; for he beareth to his Kirk a
 “ perpetuall love, and is a perpetuall protection and defence to it in this
 “ time and for ever. An admonition of Davids to Kings and magistrates,
 “ ‘ Be wise, O ! ye Kings, be learned, O ! ye that are Judges of the
 “ ‘ earth, serve the Lord with fear, and rejoyce before him with reverence.
 “ ‘ Kisse the Son lest the Lord be angry, and so ye perish from the right
 “ ‘ way, for his wrath shall be shortly kindled,’ I conclude with. Of Mon-
 “ trose the 10 of November, 1571.”

We would understand this zealous and free letter of the Laird of
 Dun's the better, had we a copy of the Regent's Heads, Articles, and
 Writing, which he answers. The Earle of Mortoun had probably pre-

Reflections
 on this Letter.

vailed with the Regent to write to him, and desires his opinion as to the application of some of the Church rents to the sustentation of the Regent, and to desire his opinion as to the presentations given, and designed to be given to the Bishops, consented it seems to by the Parliament, and lastly, to have his sentiments how far the Bishops should supercede the Superintendants. To all these, we have distinct answers here. Its very plain by this letter, that in the Superintendant's judgment, Bishops, Superintendants, Pastors and Ministers wer one and the same office, who had the cure of souls, and whose work was to preach the gospell, and administrat the sacraments. The whole of his reasoning supposes this, and herein the Assembly gave their opinion, agreeing perfectly with his reasoning, as is to be seen on Mrs. Knox, Andrew Melvil, and Row's Lives. The Superintendant asserts the Churches right to dispose of the benefices, and to judge of the qualifications of the persons to be admitted to them, and declares this power to be in the hand of the Bishops and ministers of the Evangell. This he proves solidly from Scripture, and expresseth himself with a due concern for the magistrates civil right, and that of Patrons, but in the strongest terms declares against Erastian usurpations. He compleans of the actings of the Parliament at Stirling, in favour of Tulchan Bishops, which I take to have been not by a direct Act in their favours, but conniving at the introducing Mr. Douglas, and permitting him to vote in name of the Kirk, which he recons on the matter a nullifying of the office of Bishops and Pastors, and declares such Bishops to be no Bishops, but theives and robbers, and Idol-shepherds. He nottices the vigourous opposition made to them by the Commissioners, and is sure the Kirk will approve of what they had done, which, no doubt would have come to pass, had not after pains prevented it. He leads the Regent to observe the death of his predecessor so soon following after the despite done to the Kirk, and contempt of God, in creating of Bishops by the Parliament. He disclaims the Kirks avarice in seeking to dispose of the benefices, seing they constantly sought, and yet moved, to have them broken small for the sustentation of many ministers, and wer willing the superplus should go to the government during the present troubles, till further order should be taken, providing the Church was not invaded by a totall alienation of them, and bringing in men to act in her name with-

out her consent and examination of them, as was now designed by the Earle of Mortoun, whom, with other noblemen he charges with avarice, and threatens destruction and plagues both upon the head and counselors of this abomination, which was not a vain threatening, and was observed afterwards, when the Earle came to suffer publicly, and Mr. Patrick Adamson his cheife counselour to dye miserably. All these wer the first just and native sentiments of this great and good man, and its pity he was prevailed with afterwards to depart from them at the Convention of Leith.

The Earle of Morton went on by the strong hand to establish the Bishop of Saint Andrews, or rather himself in the profites of that benifice; of which the titular Bishop received a very small pittance. Mr. Douglas acquainted the Earle about the end of October, that the collector of the Kirk would not suffer him to take up some dues allotted to him out of the Bishoprick; wherupon the Earle prevailed with the Regent to issue out letters inhibiting the collectors of the Kirk to gather the thrids, because, as was pretended in the letters, ministers stipends wer not payed, nor that part of thrids allotted to the Kings house. But these letters were recalled upon the Laird of Dun's second letter to the Regent. The Regent had writ to signify to him this inhibition, and to desire his presence at a meeting of the superintendants, November 16, at Leith. Sir John Erskines letter follows:

The Earle of Mortoun goes on to force in the Bishops,

"I being in Perth this Wensday, having there an Assembly of the
 "Kirk of Stormont and Gourie, being under my care, I received a
 "writing from your Grace, touching the convention to be in Leith of
 "the Superintendants, the 16 of this Instant, specifying also an inhibi-
 "tion, that nothing should be answered to the collectors of the Kirk.
 "It is the first inhibition given to that effect, and I wish of God it had
 "not begun in your Graces hands. The poor ministers are not convict
 "of any crimes nor offence, and yet their living is commanded to be
 "holden from them. I perceive the Kirk to be so far despised, that no
 "wrong can be done to it. It may appear most justly to all men, that
 "the destruction of the Kirk and ministry is sought; for benefices are
 "given and Bishops are made at men's pleasure, without consent of the
 "Kirk, and the poor thing already appointed by a law to sustean the

Which produces the Laird of Dun's second Letter to the Regent, Nov. 14, 1571. P. 24.

"ministry, is inhibited to be answered. If this hath proceeded for
 "obteaining the pension assigned to the first most Godly Regent; that
 "might have been handled otherwise more reasonably: for I know the
 "mind of the Kirk willing to have satisfied your Grace therein, and
 "that might have been obtained with a good writing. But it seemeth
 "to me, that men intend to bring the Kirk under slavery and vile sub-
 "jection; but the Great Lord will be ennime to their purposes, and
 "bring destruction upon the heads of such who so intend, of whatsoever
 "estate they be, and will preserve his Kirk in liberty. Perceiving such
 "proceeding, I see no cause wherefor any who bear office should come
 "to Leith, for their counsel will not be received, neither will they be
 "suffered to reason freely, as experience hath taught in times past; and
 "the counsell of the enemies of God and his Kirk is followed, yet
 "despised Israel is comforted in the Lord, he careth for his people and
 "will deliver them from the oppression of Tyrants, and give them
 "honour and liberty, when their enemies shall suffer confusion and
 "shame. If your Grace consider the matter well, ye will call back the
 "letters of inhibition; if not, the Kirk will have patience, and look for
 "help at the hands of the Lord. The Kirk should have her own, and
 "not beg at men. I have staid the Superintendant of Fyfe, while my
 "coming to Saint Andrews, till we know further of your Grace's mind
 "by this bearer, if it be your pleasure. Perth, 14 Novembris."

The Regent's
 answer to both
 the Laird of
 Dun's Letters,
 Nov. 15, 1571.

The Regent fearing rigorous methods would not succeed, discharged
 the letters of inhibition, which it may be were designed by the Earle of
 Mortoun to fright at first, and then to be a favour when withdrawn, in
 order to draw in ministers to some kind of approbation of what he had
 done. The Regent's answer to both the Superintendant's letters
 follows:

"Right trustie cusine, After most hearty commendations, in place
 "of your self, whom we have long looked for, we have received this day
 "two letters of yours, one from Montrose the 10, and another from
 "Perth the 14, of this moneth; conteining other effect and matter than
 "our expectation was. In consideration of our good meaning to have
 "travelled by all possible means for quieting of such things as wer in
 "contraversy, that the ministers of the Kirk might have found some

“ ease and repose, and we be releived of a fashious burden that we have,
 “ in default of a certain forme accorded unto the disposition of benefices
 “ greater or smaller : our said meaning we perceive is otherwise taken,
 “ which we understand to proceed from other privat fountains than your
 “ own good nature ; and so we will not press meikle to contend with you
 “ in write by reason of this matter, as the weight and gravity thereof
 “ requireth. We have been very desirous indeed to speak to your self,
 “ especially since we wer burthened with charge of regiment, and your
 “ own presence peradventure might have supplied some things that your
 “ letters find fault with. But seing matters taken as they are, that all
 “ occasion of grudge may be removed for any thing done by us, we
 “ send you herewith an inhibition of the charge lately given. For as we
 “ have lived hertofore (praised be God) honourably upon our own, so
 “ shall we forbear to crave the collectors, while this matter be better
 “ considered of. And yet when indifferent men shall look on the words
 “ of the inhibition, the intention wherfor it is given, and for how short a
 “ space it should have lasted ; we trust that they shall think that it ought
 “ not to be tane in such part as we see it is taken. If collectors be sub-
 “ jects to the King (of others we will spare to speak at this time,) they
 “ might compear when they are charged, and not write in contempt, let
 “ as many charges pass as they please, they will obey none, and this we
 “ mean of such as be most euest. What the other Regents had
 “ intended to be taken up, that we shall be frustrat of, which yet was
 “ not the greatest occasion why we desired some of the Superintendants
 “ to be here at this time ; but thir matters touched in our letter sent
 “ you. Which albiet we sent you for your privat information, yet being
 “ scaused, we see rather extremity meaned, to stop the helping of the
 “ matter, nor otherwise any mention of quieting or ordering things
 “ amiss, as truely our meaning it was, and is still, to procure the reform-
 “ ing of things disordered in all sorts, as far as may be, reteaning the
 “ priviledge of the King, Crown and Patronage. The default of the whole
 “ stands in this, that the policy of the Kirk of Scotland is not perfect, or
 “ any solid conference among Godly men, that are well willed, and of
 “ judgment, how the same may be helped. And for corruption which
 “ daily encreaseth, whensoever the circumstances of things shall be well

P. 25.

“considered by the good ministers, who are neither bussy, nor over
 “desirous of promotions to them and their’s, it will be found that
 “some have been authors and procurers of things that no good policy in
 “the Kirk can allow. Wheranent we thought to have conferred
 “especially with yourself, and to have yielded to you in things reason-
 “able, and craved satisfaction of other things alike reasonable at your
 “hands, and by your procurement. If ye see no cause that any who
 “beareth office in the Kirk of God shall come to Leith, I must take
 “patience and deferr the matter to the convention of the estates of the
 “realme, by whom I was burdened with this office, and will make them
 “and all the Godly in Christendome judges betwixt them bearing office
 “in the Kirk (ye write of), and me, whether I have not sought their
 “satisfaction, or if they have not neglected the means and occasions that
 “wer most apparent to bring quietnes to the poor ministers of the Kirk.
 “And in the meantime I will answer no further to the severall points of
 “your letters, but keep the same to my self, while time and better
 “advise work effects. If ye of your self only have written, then there is
 “one way to be considered of, if be common consent of any number of
 “them bearing office in the Kirk, then are they to be otherwise con-
 “sidered, as time and place serveth. And so for this time suffering and
 “ceasing to make longer letter, committs you to the protection of
 “Almighty God. At Leith, this 15 of November, 1571.

“Your assured good Freind,

“JOHN REGENT.”

Remarks on
 it with what
 passed till,

It was best for the designes now in hand, and by far the easiest way
 of answering the Superintendant’s letters, to take this generall indeter-
 mined way. The litle insinuations in it would have easily been taken off
 had he made a return. He certainly spoke the generall sentiments of the
 Kirk, and was far from being under influence and the direction of
 others. The Regent’s return is full of deference and kindnes, and very
 well calculat to win in upon so generous and charitable a man as this
 gentlman was. The meeting of Superintendants, as I take it, did con-
 veeen at Leith, and referred matters now in dependance to the Convention
 at Leith, upon the Earle of Mortoun’s return from the Borders, and the

rather because the Superintendants of Angus and Fife wer not with them, and the opinion and gravity of the first went a great way in the Church, and by the 12 of January much pains was taken to prepare the ministers and others picked out to meet there, yet all that was got done was only to roll over the affair upon a few, the bulk of whom were prevailed with to yeild for the present to the Tulchan Bishops. Mr. Calderwood speaks of another meeting of the Superintendants and Commissioners of the Kirk, Dec. 6, called by the Laird of Dun at the Regent's desire, for taking order for the provision of the King's house out of the thirds, and to consider upon som things relating to the Policy, but all was referred to the meeting of January. By this it would seem the Superintendant was prevailed upon to meet with the other Superintendants and Commissioners, many of whom, its probable, wer gained at the former meeting, and to joyn in remitting matters (which, indeed, ought not to have been opened, except by a regular Generall Assembly,) to the Convention at Leith, Jan. 12, 1572. But this good man was not willing that the whole odium of opposition to Bishops should ly on him, as the Regent someway insinuates in his letter.

Accordingly, January 12, such as wer writt for to be present, Superintendants, Commissioners and Ministers, convened in Leith; in the Assembly Registers this meeting is not named a Generall Assembly of the Church of Scotland, but a Convention. The Assembly was adjourned till March 6; such only came up as had letters sent them. Mr. Gilbert Gairden, Moderator of the last Assembly, presided till the next ordinary Assembly. They sat but three or four short hasty Sessions, and their names and procedure I shall give from Calderwood, that this matter of bringing in of our first Bishops, though they scarce deserve that Scripturall name, may be the better understood.

Ther convened at Leith, Superintendants, Commissioners, Ministers and Commissioners from Towns and Kirks, John Erskine of Dun, Knight, Superintendant of Angus and Mernes; Mr. John Spotswood, Superintendant of Lothian; Mr. John Winrame, Superintendant of Fife and Strathern; Mr. David Lindsay, Commissioner of Kyle, Carriect and Cunningham; Mr. Robert Pont, Commissioner of Murray; Mr. Andrew Hay, Commissioner of Cliddisdale, Renfrew and Lennox. Commission-

The Convention at Leith, Jan. 12, 1572.

P. 27.

List of the Members.

ers of Provinces, Towns and Kirks; Robert Grahame of Montrose, Mr. James Halyburton, William Christison, for Dundee; Mr. John Preston, Adam Fullarton, for Edinburgh; John Anstruther of that Ilk, John Beaton of Balfour, Patrick Kynnimouth, for Fife; Mr. William Lundy of that Ilk, Thomas Scot of Abbotshall, Mr. John Young, for Irwine; James Dalrymple, for Air; James Cockburn and John Gray, for Haddingtoun; William Lauder of Hawton, Knight, Robert Fairlie of Braid, James Rigg of Carberry, James Johnstoun of Elphinstoun, for Lothian; Andrew Ker of Faudounsye, for Tiviotdale; Walter Cant and Mr. William Balfour for the Kirk of Leith; Mr. James Wilkie from the University of Saint Andrews. Barrons; Thomas Kennedy of Bargeny; John Lockheart of Barr; Hugh Wallace of Carnell; Hugh Montgomery of Heassilhead; John Neilson of Craigruff. Ministers; Mr. David Lindsay, for Leith; John Duncanson, for his Majestys House; Mr. Andrew Simson of Dumbarr; John Brand of Hallyroodhouse; Mr. James Carmichael of Haddingtoun; Alexander Forrester, of Tranent; William Sanderson of Whittinghame; William Harlaw of Saint Cuthbert; Alexander Blackhall of Cranstoun; John Burne of Musselburgh; John Durie of Restalrig; John Clappertoun of ———; Mr. Thomas Cranstoun of Peebles; Mr. Peter Primerose of Mauchline; Mr. John Inglis of Ochiltrea; Mr. David Weems of Glasgow; George Scot of Kircaldie; Mr. William Edmiston of Cargill; Robert Grahame of Abertill; Mr. John Rutherford of ———; Mr. William Clerk of Anstruther; David Ferguson of Dumfermling; Peter Blackwood of ———; John Dykes of Culros; Mr. James Paton of ———; Mr. Robert Montgomery of Dumblaine; Mr. George Lesley of Kilmunquhar; Mr. James Melvil of Menmuire, and James Anderson of Caithness.

Their procedure, Sessions 1 and 2.

“ In the first Session the Moderator of the last Assembly was continued in his office. In the second Session it was concluded all in one voice that this present convention shall have the strength, force, and efficacy of a Generall Assembly, and that all things be treated and ended therein that may goodlie be done, and used to be concluded in any Generall Assembly, not the less that all such bretheren as may goodlie travel, conven to the Generall Assembly, which is to begin at Saint Andrews the 6th day of March next to come, and the moderator to con-

“tinou till that time, and make exhortation as before is ordeaned, according to the rule.” Suspected things, and contraverted rights, need ratifications and declaratures, and here the persons concerned wer judge and party. Our undoubted Generall Assemblys used to make no declarators of this fashion. Remarks.

In the third Session they came to the main point. How far the measures now on foot, would have been gone into, even by this selected meeting, I shall not say. They wer only called to devolve their power upon a few, who probably wer now managable, and such power as they had they committed to these few, in a most frank and illimited manner. Third Session.
P. 28.

“The bretheren assembled, in one voice and mind give their full commission and power to the honourable and their beloved bretheren, John Areskine of Dun, Knight, Superintendant of Angus and Memis; Mr. John Winrame, Superintendant of Fyfe and Strathern; Mr. William Lundie of that Ilk; Mr. Andrew Hay, Commissioner for Cliddisdale; Mr. David Lindsay, Commissioner for Kyle; Mr. Robert Pont, Commissioner of Murray; and Mr. John Craig, one of the ministers of Edinburgh, or any four of them to compare befor my Lord Regents Grace, and so many of the Lords of Secret Councill as his Grace shall appoint in Leith, this instant moneth of January, and there in the Kirk’s name most humbly propone, show and declare the Articleles, Heads, Suplications and Complaints delivered to them by the Kirk presently assembled, most humbly requesting for answer therunto, to conferr and reason with his Grace and Council forsaid upon such Heads and Articleles, as shall be proponed to them by his Grace and Conneill and to conclude therein according to the instructions given to them by the Kirk and to report the said Heads and Articleles with their conclusions therupon to the next Assembly to begin at Saint Andrews, the sixth of March next to come, to the effect the same may be insert among the Acts of the Generall Assembly, firm and stable holding what shall be done in the premises. Item, ordeans the said bretheren to pen the Heads and Articleles for the Kirk, and deliver a double of them to the Clerk to be entered in the register of the Assembly.” No more was done save allowing Mr. Robert Pont, to aaccept the office of a Senator of the Colledge of Justice, which will stand best in his life.

Remarks.

Remarks are obvious upon the procedure of this Convention. Four persons are allowed to determine in matters of the highest concern to the Church; they seem to be tyed indeed to instructions, but these wer not agreed to in this meeting, and they had no other than what former Assemblies had agreed to, and had they considered these, they would have found them flatly contrary to what they now fall into. In other cases which wer but seldom, for thirty-six years after the Reformation, when the Assembly delegated their power, the Commissioners wer ordered to report to the next Assembly before finall conclusion, but here four may conclude finally in thir great matters, and they are to report indeed in order to registration; but what they agree to must not be altered. In short Mr. Calderwood observes that this matter was hurried over with great confusion and precipitation, as all things which cannot bear the light are; and the instructions to the Commissioners are not recorded, and any thing of that nature was done in great hast. Thus, first and last Bishops wer obtruded upon us by delegating the Churches power to a few upon whom the Court had influence; afterward, indeed, the Bishop's vote in Parliament had a kind of approbation, under limitations and conditions, not one of which was kept; but what thir persons did, was, as we shall hear, opposed and protested against in the next Assembly; though under protestation, agreed to till better times.

P. 29.

Their Dele-
gates meet,
January 16.

Upon the 16 of January, the above named persons mett at Leith, with the Earle of Mortoun, Chancelor; Lord Ruthven, Threasurer; Adam, Bishop of Orkney; Robert, Commendator of Dumfermline, Secretary; Mr. James M^cGill, Clerk Register; the Justice Clerk and Colin Campbell of Glenurchie, nominat by the Regent and Council, and agreed Bishops, Archdeacons, Deans, Chapters and Chancelors should stand during the Kings minority, and to have no further jurisdiction then Superintendants have. But that such [as] are curious to [may] see the shape wherin things wer cast at this meeting, I have added in the Appendix No. [V.] the whole of their procedure, intituled, The Articles and formes of Letters concerning provision of Persons to benefices and spiritnall promotions, agreed upon by the Commissioners of the King's Majesty, and the Reformed Kirk of Scotland in their conference, had at Leith in the moneth of January, 1571, after the old account, but 1572, according to

Articles and
Conclusions at
Leith.
App. No. V.

the new. Its very large, indeed, but being never before published, I doubt not but it will be acceptable. It answered the Earle of Mortouns designe of getting the disposall of the Benifices and Church lands, and did not much affect the Reformation government of this Church, since the Bishops, such as they wer, wer subjected to the Assembly; only it brought much trouble to our Assemblys, in hearing complaints against, and censuring the corrupt and time-serving men, who accepted of Bishopricks; and gave our Generall Assembly a continouall struggle against this imposition of nominall Bishops, for about six years, till they flatly declared the office unlawfull.

At the next Assembly, March, 1572, A comitty is appointed "to meet in Mr. Knox house in Saint Andrews, and consider and sight the Articles and Conclusions at Leith, and ratified by the Council and Regent; and what therein they find agreeable to God's word, and to the utility of the Kirk; to report the same to the Assembly, that the said conclusions may be insert in the Register." No report comes in this Assembly; I apprehend Mr. Knox, Mr. Craig, Mr. Arbutnot and some others who are members of this comitty, raised such objections against them as could not well be answered.

Procedure of
the Assembly,
March, 1572,
upon them.

At the next Assembly in Perth, Agust 6, John Erskine of Dun was chosen Moderator. He had been caryed away with the rest to agree to the Articles at Leith, as the expedient to prevent a breach twixt the Kirk and Council, and what could not be evited for a season; but from his letters above narrated, we may guess he was not very fond of them. To this Assembly the Bishop of Saint Andrews compleans that his diocie is too great and weighty for him; his books are visited by the Assembly, and another committy is appointed in their first session "to oversee and consider the conclusions at Leith, and what they find therein, either to be reteaned or altered; to report the samine again to the Assembly; ordeaning all and sundry bretheren that have any reason to alledge against the saids conclusions, that they convene with the forsaid bretheren, and shew their opinion, with certification thereafter they shall not be heard thereanent." In the third Session the committy make their report as followes. "The bretheren appointed for viseing the Heads and Articles concluded in Leith, in January last, with the

The Laird of
Dun Modera-
tor, Assembly
Agust 6, 1572.
Their procedure
as to the heads
and conclusions
agreed to at
Leith.

P. 30.

“ Regent’s Grace, and secret Council, presented to the Assembly a protestation, with their opinion anent some of the heads and conclusions, requiring the whole Assembly to adhere to the same : the tenor whereof follows :

“ ‘ Forasmikle as in the Assembly holden in Leith in January last, certain Commissioners wer appointed to travell with the nobility and their Commissioners, to reason and conclude upon diverse Articles and Heads, then thôt good to be conferred upon ; according to the which commission they proceeded at diverse diets and conventions, and finally concluded for that time upon the saids Heads and Articles, as the same produced in this Assembly reports. In the which, being considered and read, are found certain names, such as the Archbishop, Dean, Archdeacon, Chancellor and Chapter ; which names wer thôt slanderous and offensive to the ears of many of the bretheren ; appearing to sound to Papistry. Therfor the whole Assembly in one voice, as well these that wer in commission at Leith, as others, protest that they mean not by using any such names, to ratify, consent and agree to any kind of Papistry or superstition, and wish rather the said names to be changed into others that are not slanderous nor offensive. And in like manner protest, that the saids Heads and Articles agreed upon, be only received as an interim, till further and more perfect order may be obtained at the hands of the King’s Majesty, Regent and nobility ; for the which they will press as occasion shall serve.’ Unto which protestation, the whole Assembly presently convened, in one voice adhered.

“ Anent the names and titles of Archbishops, we think good that they that had the names of Archbishops heretofore, that hereafter, in these things concerning the function of the Kirk, they shall use the name of Bishop, and not Archbishop. Towards the names of Chapter, Dean, Archdeacon and Chancelour, we think it good that because thir names sound to bring in superstition with them, and so are offensive to the ears of a great many of the Kirk, therfore we desire they may be changed into other names tending to the same purpose ; such as the Chapter to be called the Bishop’s Assembly, the Dean the Moderator

“ of the said Assembly. As to the function of Deans, Archdeacons and
 “ Chancelors, we think good that some be appointed by this Assembly
 “ to try and give in their judgment concerning the said functions, how
 “ far they shall extend in particular, and also toward the function of the
 “ Abbots and Priors, and tou[ard] the interchanging of all their names
 “ into other names more agreeable to God’s Word, and the policyes of
 “ the best Reformed Kirks, and that they report the same to the next
 “ Assembly, or else to the next Parliament, if any happen to be, betwixt
 “ this and the next Assembly. And we think good that Comissioners
 “ be appointed by this present Assembly to await upon the Parliament, if
 “ [any] shall happen to be, or otherwise pass to the Regent’s Grace and
 “ secret Councill, for such things as shall be given to them in commission:
 “ and for further vising the saids conclusions, the said bretheren are con-
 “ tinoued till further appportunity, alwise adhering to the former protesta-
 “ tion.”

P. 31.

At first view it may seem strange that the Assembly only declare
 against the offensive and slanderous names of Archbishops, &c., as sounding
 towards Popery and superstition; and some Prelatick writers make them-
 selves merry with this protestation. But if we fully consider the circum-
 stances of the time, and what the Assembly really conclude in this Act,
 it will neither appear strange, nor matter of jesting. They had these
 Articles forced in upon them with a kind of consent of some persons of
 very great weight and worth in the Church, and some of whom at least, as
 the Laird of Dun, went in as what appeared to him the least evil. These
 persons had a power delegat by a sort of Assembly, and wer dealt with
 by the Earle of Mortoun as representing the Church. The Assembly
 had the Regent and Protestant nobility standing up for the King’s
 authority which they owned, to deal with, and that in a time of civil
 war, and great confusions, and wer not willing of a breach with them, or
 to do any thing to weaken the hands of those they loved and prayed for.
 In thir circumstances it was prudence and wisdom, and every way most
 proper for the publick interests, peace and harmony among themselves, and
 the cause of truth they wer defending, to begin softly, and so as to take
 along with them those who had been at Leith, and to do what they could
 joyntly, rather than [than] what they would, with a breach among them-

Hints for
 vindicating the
 procedure of
 our Assemblies
 when Bishops
 wer thus forced
 on them.

selves, and with the Government. And indeed they did more, really, than one would almost have expected in such circumstances. They find the names offensive, and this in it self was a very good ground to change them. But shall we once suppose they had no other thing in their view but letters, and sillables, and sounds, when they protested? No, they directly strick against all that is Popish and Antichristian, expressed by these ill sounding names, and renounce all Papistry, and consequently the Antichristian hierarchy, and all these offices as used under Popery. Less cannot be signified by their words, and in consequence of renouncing Popery and all these offices, they declare they only receive Leith Articles now imposed on them, as an Interim, and till better can be got from those that had forced them on them, for which they declare they will press. And indeed this they did till they obtained their purpose. They declared [at] the next Assembly Bishops to have no more power than Superintendents; and the next year, that a Bishop's office and Pastor's are the same; and then drew up the Second Book of Discipline; declared Bishops as abused here to be unscripturall and unlawfull; and gote Presbiterys established, and the Antichristian hierarchy solemnly abjured. Ther is no occasion then of ridicle here, and we ought rather own their caution and prudence in managing this matter, in which I doubt not the Moderator had his share. Yea, this very Assembly, they approve of the Articles sent them by Mr. Knox, which are quite subversive of the conclusions at Leith, as may be seen in his Life.

p. 32.

Generall observations on the incoming of Tulchan Bishops.

Thus I have set this affair of Tulchan Bishops in as plain a light as my materialls allow me. And as the Laird of Dun vigorously opposed them, and as far as I can guess, unwillingly, and for peace consented to them, so under his moderation the assembly that same year lay the foundations of getting rid of them. Which indeed took time, and no wonder, when in the end of ther [that] year, the Earle of Morton the great inbringer of them, was chosen Regent. I shall only observe further, that as Bishops of this sett wer not brought in upon the Church by the wise and moderate of the Ministry upon their dislike of our Reformation-discipline, but forced in upon us by the nobility for their own ends, when the best of the Ministry wer enterteaning thoughts of bringing our discipline and government to a greater perfection, by a removal of the

temporary offices the necessity of the times had led to, so it is plain beyond contradiction, that the Presbyterian Establishment was not brought to us from Geneva by Mr. Andrew Melvil, but noble stands were made against the introduction of Prelacy among us from the very Reformation, and many years before Mr. Melvil returned to Scotland. And lastly, it is not improbable that as King James afterwards forced in Prelacy upon this Church, to pave the way to his succession in England about twenty year after this, so the Earle of Mortoun had it in his eye to gratify England, to whose help indeed we owe the preservation of our Reformation and our infant King at this juncture. And I hope so good a man, as I take the Earle of Mortoun to have been, notwithstanding of this wrong step, had a stronger tentation to this encroachment upon the Reformation in Scotland, than merely some profite to himself, and the distribution of the great benefices among his dependants and friends.

These remarks which naturally flow from what I have narrated, would bring me to make some reflections upon Archbishop Spotswood's account of this matter of the Tulchan Bishops, p. 257—261. What I have narrated above from unquestionable vouchers, the Acts of Assembly, and the Laird of Dun's letters, will disprove severall of the Bishop's facts, and set this matter out of that wrong light he labours to place it in; so that my remarks may be the shorter. In this place, we may suppose the Bishop would exert all his art and cunning to give this change a turn in favour of his own beloved Prelacy. But I wish he had used more candour and fairness, and had not put things in such a situation as doth not agree with facts he could not be ignorant of. He begins with Mr. Knoxes letter to the Assembly, August, 1571, set down in his life, to make his readers think he was turned Prælatiſticall in his old age, whereas the great scop of that letter was to guard them against suffering such unfaith[full] men as Mr. P. Adamson, our author's predecessor, to come in, and the Tulchan Bishops. He next would make us believe, the Generall Assembly in August had a mind to have the Tulchan Bishops in, and appointed such of their number as were most favourable to the designe, and disliked the Book of Discipline, to attend the Parliament upon that bussines. But, adds he, the Regents death, and the troubles delayed all. Its impossible but he knew that Parliament admitted the Bishop of Saint

Remarks [on]
Bishop Spots-
wood's account
of the incoming
of Tulchan
Bisheps.

Andrews—bullyed and hector'd the Ministers, and caryed all quite contrary to the applications of the Church. How unhappily does he bring in the Laird of Dun and Mr. John Row, as favouring the course urged by the Earle of Mortoun, after what we have seen. When the Bishop is so much out in facts, which at least he ought to have known, what credit can be given to his observations upon the state of the Church at this time? He would have us belive, that now churchmen began more seriously to think on the policy of the Church than before. I shall yeild this, though not in his sense. In the Assembly in March, we have seen the Articles given in for establishing the jurisdiction of the Church, and to counter the designe of Tulchan Bishops. The first draught was indeed not liked by some, because superintendants, when designing men got into the office, might soon turn Prelates. The First Book of Discipline was approuen by the Council, though he finds it necessary to deny it, and we see the Laird of Dun tells the Regent it was sworn as well as aproven. He adds, they saw it needfull to agree upon a certain form that might continow. Wher again we agree in words, but he means a Prelatick form, and I the removing of temporary officers, and establishing Presbitrys. What followes needs not much to be considered. He sayes, the Church was governed by superintendants and commissioners formerly: wheras, indeed, it was served by these, but governed by Generall Assemblys, Synods, and Sessions. The Superintendant's power, he sayes, was Episcopall, which hath been frequently refuted, and the contrary will be seen in Mr. Knoxes Life. Neither is it true that they elected Ministers, for the people did that, and in ordination they presided, and joyned with the Ministers in the bounds, whose consent was necessary. I see no footsteps of their directing all Church censures, or that no excommunication was pronounced without their warrand. Most part of discipline was indeed managed by the Assembly, wher they had their single vote, and they had no more, for any thing I know, in Synods. The power of assigning stipends to ministers as they pleased, if any such power they had, was not from the Assembly, and in my opinion, very injuriouse; but granting they had it, this is an odd proof of their Episcopall power. But these observations of the Bishop's are really not worth confuting. He tells us, in January 157 $\frac{1}{2}$, an Assembly met at Leith. We have seen what an Assembly it

was, and how far from the gravity and deliberation with which our venerable Assemblys used to act. He adds, great instance was made with the Regent and Councile to settle the policy of the Church, that is, Episcopacy. Had he said the Regent and Conneill made great instance upon this selected picked convention to settle the policy he speaks of, and they delegated their power to four, to do what they would not venture upon themselves, he had written nearer the truth. The conclusions he gives us are his own, rather than those of that meeting, as will appear by comparing his seven Conclusions with the originall Articles in the Appendix. But because every reader of this will not perhaps have the Bishop's History before him, or consider that long paper in the Appendix, as a specimen of the Bishop's unfairnes in this important matter, where the words of the Articles ought to have been narrated by an ingenuous writer, and to shew his concealing of the subjection of the Bishops to the Assembly, with severall other things, it seems, he was not willing we should know; and in a word, to shew how little this celebrated Historian is to be depended on, in what makes for Prelacy, and against Presbitry and Presbiterians, I shall here insert the generall conclusions, as the Bishop gives them, and then as they stand in the originall Articles, since none of them are very long.

P. 34.

The conclusions at Leith, as the Bishop gives [them] are—"1. Conclusions at Leith as related by Bishop Spotswood,
 "That the Archbishopricks and Bishopricks presently void, should be
 "disponed to the most qualifeyed of the Ministry. 2. That the spirituall
 "jurisdiction should be [by] the Bishops in their dioces. 3. That all
 "Abbots, Priors, and other inferior Prelates, who should happen to be
 "presented to Benefices, should be tryed by the Bishop or Superintendant of the Bounds, concerning their qualification and aptnes, to
 "give voice for the Church in Parliament; and, upon their collation, to
 "be admitted to the Benefice, and not otherwise. 4. That so (misprinted,
 "I suppose, to) the Bishopricks presently void, or that shall happen here-
 "after to fall, the King and the Regent should recommend fit and quali-
 "feyed persons, and their elections to be made by the Chapters of the
 "Catherall Churches. And forasmuch as diverse of the Chapters churches
 "wer possessed by men, provided before his Majesties coronation, who
 "bore no office in the Church, a particular nomination should be made of

“ Ministers in every dioces, to supply their rooms, untill the Benefices should fall voyd. 5. That all Benefices of cure under Prelacies, should be dispoed to actuall Ministers, and no others. 6. That Ministers should receive ordination from the Bishop of the dioces, and where no Bishop was as yet placed, from the superintendant of the bounds. 7. That the Bishops and Superintendants at the ordination of Ministers, should exact of them an oath, acknowledging his Majestys authority, and for obedience to their ordinary in all things lawfull. All which wer ordeaned to stand in force till the King's majority, or till the estates of the realme should otherwise appoint.”

The same as
they stand in
the originall
Articles.

The conclusions as to Archbishops and Bishopricks as they stand in the originall articles, are as followes:—“ 1. Its thôt good in consideration of the present state, that the names and titles of the Archbishops and Bishops are not to be altered or innovat, nor yet the bounds of the diocesses to be confounded, but to stand and continon in time coming, as they did before the Reformation of religion, at least to the King's Majesty's majority, or consent of Parliament. 2. That persons promotted to Archbishopricks and Bishopricks be, so farr as may be, indned with the qualitys specified in the examples of Paul to Timothy and Titus. 3. That there be a certain Assembly, or Chapter of learned Ministers annexed to every metropolitan or cathedrall seat. 4. To all Archbishopricks vaccand, or that shall happen to vaik hereafter, persons qualified to be nominate within the space of year and day after the vacancy, and the persons nominat to be 30 years of age at least. 5. The dean, or faling the dean, the next dignitary of the chapter, during the time of the vacancy, use the jurisdiction in spiritualls, as the Bishop might have used. 6. All Archbishops and Bishops to be admitted hereafter exerce no further jurisdiction in spirituall function nor the Superintendants has, and presently exerces, while the same be agreed upon, and that all Archbishops and Bishops be subject to the Kirk and Generall Assembly therof *in spiritualibus*, as they are to the King *in temporalibus*, and the advice of the best learned of the chapter, of the number of six at least, in the admission of such as shall have function in the Kirk. As also that it may be lawfull to as many others of the Church as pleases to be present at the admission and to vote theranent.”

The reader will have a quite other view of the Archbishops and Bishops now brôt in, from the originall account of them, than he can have from Spotswood's, and see that he conceals circumstances that did not make for his own designe, and those of the greatest importance, as their power extending no further than that of Superintendants, their subjection to the Generall Assembly, to say nothing of multitudes of other differences from the Articles. I shall only observe further, that Bishop Spotswood takes notice of the exceptions made in the Assembly at Perth against the titles of Archbishop, &c., adding, "that he finds no after-report made by such as wer appointed to consider the functions; and its "probable," adds he, "that the wiser sort esteemed that there was no cause "to stumble at the titles where the office was thôt necessary and "lawfull." Thus he cunningly conceals the vigorous opposition made to the Tulchan Bishops. But the reader would know, that when the titles and names wer declared against, the office was struck at, as hath been observed above, and the way of wording the articles, *That the titles of Archbishops, &c., are not to be laid aside*, led the Assembly necessarily to express themselves this way. The after-inquiry, as we have seen, was not as to Archbishops, but as to Deans, Archdeacons, and Chancelors. Though Spotswood would have us think it was as to the whole; and the other functions did not much trouble the Church, the great debate was as to Archbishops, which they lay aside, and Bishops, which as abused of late, they declare also against. And its a gross imposition upon his readers, when he slumps over all the after-opposition made to Prelacy, by telling us, that the wiser sort overlooked the titles, and reconed the office necessary and lawfull; when the whole tract of our history for thirty years contradicts this, as hath been at great lenth made out by Presbyterian writers. But its high time to leave this subject and return to the worthy person, whose life I am giving some account of.

Further remarks on Spotswood.

Upon this establishment of Tulchan Bishops, the Regent got the thrids intirely in his hands, and pretended to better ministers' stipends; but in reality they wer in worse circumstances then formerly; especially on the project begun next year of uniting three or four parishes into one, against which, Mr. John Davidson wrote, as is to be seen in his Life. These, and many other irregularitys, brought many complaints and much

Consequents of Tulchan Bishops, 1573.

trouble to the Superintendants, especially in the bounds of the new-made Bishops, which at least in the diocie of Saint Andrews, at Mr. Douglas desire, continued under the inspection of the Superintendants; the stipends also of the Superintendants wer much impaired. Upon these accounts I find, in the Assembly, March, 1573, John Erskine of Dun, Knight, protesting, that in respect the Assembly has decerned, (which they did at first, yet left Mr. Douglas and the Superintendants to agree upon this matter afterwards,) the whole dioces of Saint Andrews to pertain to the Bishop of the same, he be no more burdened with any visitation in these bounds, nor with visiting Dunkeld when a Bishop shall be provided therto. Mr. Spotswood, Superintendant of Lothian, protested in like manner for his bounds. The Assembly referred the matter to such as wer to conferr with the Regent.

The Laird of
Dun's answer
to a complaint at
the Assembly,
Agust. 1573.
P. 36.

At the nixt Generall Assembly, Agust, 1573, a complaint was tabled against the Superintendant of Angus and Merns, about his managment as to the Church of Inchbrayak. Being necessarily absent, he wrot a letter to the Assembly vindicating himself in this affair, which with the Assemblys approbation shoves his fidelity in managing the least affairs intrusted to him, and so I insert it here from Petry. "Hearing that in my absence a complaint was given upon me, alledging that I had destroyed, or caused to destroy, the Church of Inchbrayak, and to have joyned that parishon to the Church of Maritoun, I have thought good to declare to your Wisdomes my part in that cause. I never did destroy a Parish Church, but would have had the reparation of all. As to that Church of Inchbrayak, I, in my visitation, finding it spoiled and broken down, did request the parishoners therof to resort to the Church of Maritoun, being near to them, untill their own Church wer bigged and repaired. To which they did consent not to continou ever so, but for a time, untill their own Church wer bigged: the which I wish to be done shortly, and what in me lyeth to further the same shall not be ommitted. This is the truth of that matter, and if it be found otherwise, I shall build the Church on my own expences. If your Wisdomes think any fault herin, I am subdued, and shall obey your godly judgment." Under the letter is thus written.—"Edinburgh, Agust 10, 1573. The Church presently assembled findeth

“no fault in the premises, done by the Superintendant, but all his
“proceedings therein worthy of praise.

“John Gray, Cl^{rk}. Ass.”

In the Assembly, March, 1574, the Church groaning under the conclusions at Leith, and the provision for Ministers being daily impaired, continuall complaints coming in against the nominall Bishops, appoint John Areskene of Dun, Mr. Winram, superintendant of Strathern, Mr. Robert Pont, Mr. John Row, Mr. James Lawson, and some others, to convene with the Regent and Council, and confer and reason upon heads concerning the jurisdiction and policy of the Kirk, and upon what shall be propounded unto them, and all other things tending to set forward the glory of God, the preaching of his word, the King's authority, and the common wealth. The result of this is not in the Assembly Registers, but as I take it, the issue was the forming of the Second Book of Discipline. In the seventh Session, John Erskine of Dun, for certain causes moving him, purely and simpliciter dimitted his office of superintendancy in the hands of the Assembly, desiring them to provide another in that room, that the country be not destitute of an overseer, not the less promising to do what lay in his power for the comfort of the Kirk. Mr. Spotswood, Mr. Winram, and Mr. Robert Pont, at the same time dimitt also. All these wer preparatory steps to the Churches after-appearances against Bishops, and in this Assembly they having pretended to more power than superintendants, the Assembly declar they have no more power than they, and discharge them, Superintendants and Commissioners, to plant any Ministers in Parishes, without the consent of at least three of the neighbouring Ministers. The Superintendants, notwithstanding their dimission, are desired to continu till next Assembly, and afterwards continu to have the title of Superintendant given them in the Registers. All thir steps were taken before Mr. Melvil returned.

Procedure of
the Assembly,
March, 1574, as
to the Policy.

The Laird of
Dun dimitts his
office of Super-
intendant, but
is desired to
continou.

p. 37.

At the next Assembly, the Laird of Dun, Mr. George Hay, Mr. Arbuthnot and Craig, are comissioned, Agust 10, 1574, to present a good many Articles to the Regent from the Assembly, too long to be insert here; some of them I shall notice:—“That stipends be granted
“to Superintendants in all countrys destitute of them, both wher there

Articles pre-
sented by him
and others from
the Assembly,
Agust, 1574, to
the Regent.

"are Bishops, and wher ther are none. That commission be given to
 "some gentlemen in every country to punish incest, adultery, witchcraft,
 "and other odious erimes. In respect that in the ecclesiasticall function,
 "there are two only destined offices of teaching, the doctor that interprets
 "the Scripture, and the minister to teach and apply the same, That his
 "Grace will take order that Doctors be placed in Universitys, and
 "stipends granted to them, wherby not only they who are presently
 "placed may have occasion to be diligent in their care, but also other
 "learned men may have occasion to seek places in Colledges within
 "this realme. That the said Commissioners travel with his Grace
 "for Mr. John Davidson anent his kirk. That forsameikle as ther is
 "divers books set out by Jesuits and other heretieks and erroneous
 "authors, conteaning manifest contumelies and blasphemies against God
 "and his revealed truth, daily brôt into this country by Poles, Crammers,
 "and others, to the heavy offence of this Kirk, that his Grace will pro-
 "vide remeed. It is understood to the Generall Assembly be credible
 "report of learned men lately arived within this country, that a French
 "Printer, of the best renoun this day, next to Henricus Stephanus, being
 "banished from his country with his wife and family, hath offered to
 "come to Scotland, and bring with him three thousand franks worth of
 "books, and to print whatsoever work he should be commanded; and
 "that there should not be a book printed in France or Allemain, but
 "once a-year it should be got of him, if he might have sure provision of
 "a yearly pension of three hundred merks, which indeed is an offer so com-
 "fortable to the Kirk and country, that it ought not to be overseen,
 "That his Grace will consider of the same, and take order therewith."

Act freeing
 him from at-
 tending Sherrif
 Courts.

In the Assembly, March, 1575, I find the Laird of Dun desired
 to continou in his office of Superintendant till next Assembly. And Mr.
 Petry observes, that by an Act under the Privy Seal, which he saw, dated
 Nov. 21, 1574, that the Laird of Dun, though a Barron, had never since he
 was Superintendant, been oblidged to be present in the Shirrif Court, and
 was exempted from it by that Act, during his continuance in that office.

Complaint
 against him
 at Assembly,
 Agust, 1575,
 with his answer.

At the next Assembly, Agust, 1575, he is compleaned upon as hav-
 ing admitted one Robert Merser, Minister at Banquhar Ternitie, who was
 unable to discharge his cure, and answered, he admitted him with the

advice of his bretheren of Aberdeen, who had tryed him. The Assembly ordains the Principall of Aberdeen, and Mr. Craig, Minister there, to take tryall of his doctrine and litterature. In that same Assembly, he with some others, are appointed to present the articles of the Assembly to the Regent, conteaning severall proposalls for provision to Ministers, advancing of learning, care of the poor, and Superintendants and Commissioners being planted in Bishops Dioceses, which it seems they themselves neglected.

I have more than once in this work observed that the Assembly this year, 1574, after many previous steps, and long and full reasoning, came at lenth to declare the office of Pastor and Bishop, as far as lawfull, one, and this is renewed again, 1576. In the Session 4, considering the intolerable burden lying formerly to the charge of Bishops, Superintendants, and Commissioners of countrys, hath been the cause why the Kirk hitherto could not be duly overseen, and good discipline could not be exercised for lack of visitation, they agree to appoint visitors. The articles, or directions for them, are in the printed Calderwood. The Laird of Dun and his son, among others, formed them, and these continued till the erection of Presbitrys. By this constitution, two or somtimes more wer added to the Bishops, who now wer obliged to betake themselves to a particular charge, and superintendants. Thus, for the bounds of Angus and Mernes are named the Laird of Dun, William Christeson, and Mr. James Anderson, and they continue I see by the Registers severall years.

This same Assembly took care for visiting universitys, and appoint the Laird of Dun (who after this is not much designed by his title of Superintendant in the Registers), Mr. James Lawson, Mr. Robert Pont, Mr. Alexander Arbuthnot, William Christeson, Mr. John Row, and Mr. John Craig, to visit the Colledges of the University of Saint Andrews, and to consider the same, and the manner and state therof, and what they find to report to the next Generall Assembly.

The consideration of the policy and jurisdiction of the Kirk was also befor this Assembly; and after the previous steps taken in severall Assemblys since the 1573, they now fall in earnest to set it upon its scripturall foundation, and at lenth came to form the Second Book of Discipline. In this, the Laird of Dun had a considerable share. The Act of this Assembly is as follows:—"For making an overture of the policy and jurisdic-

The Laird of [Dun], his son and others frame directions for visitors of countrys, 1576. P. 38.

He with others visit the University of St. Andrews.

His share in the Second Book of Discipline.

tion of the Kirk, and uttering the plain and simple meaning of the Assembly therein, the Assembly present hath moved and requested their Bretheren underwritten, to travel and take pains, to reason and conferr upon the heads of the said argument, and to deliberat gravely and circumspectly thereupon, that they report their opinions advisedly to the next Generall Assembly: That is to say, for the west country, the Bishop of Glasgow, Mr. Andrew Melvil, Mr. Andrew Hay, Mr. James Greg, Mr. David Cunninghame. For Lothian, Mr. Robert Pont, Mr. James Louson, Mr. David Lindsay, Mr. Clement Litle, Alexander Syme. For Fyfe, the Superintendant thereof, with the principall Ministers of the University. For Merns and Angus, the Laird of Dun, William Christeson, Mr. John Row, Mr. William Rynd, John Duncanson. For Aberdeen, Mr. John Craige, Mr. Alexander Arbuthnot, Mr. George Hay. That they convene, the West in Glasgow, Lothian in Edinburgh, Angus in Montrose, Fife in Saint Andrews, the first Tensday of June, and a generall meeting convene in Stirling, the last day of July, to cognosce upon the whole, and report to the Generall Assembly, October 24." In the next Assembly, they wer interrupted by some idle questions proponnded in the Regent's name, concerning the discipline formed really by Mr. P. Adamson, and designed to confound their reasonings, and be a dilator. These I have taken nottice of, in Mr. Andrew Melvil's Life, in which the steps taken upon this important subject are narrated, and so I shall only give them in hints. In the next Assembly, March, 1577, the Laird of Dun, and the rest concerned in the matter of the policy, are ordered to revise what was formerly drauen up, and to be further put in order by Mr. Robert Pont and James Louson, October 19, and report to the Assembly, October 25. In that Assembly, their whole time was spent almost, in reasoning upon what was accordingly laid before them; and they approved the whole, save the head De diaconatu, which was subcommitted to some bretheren, who wer appointed to finish it, and present the whole *in mundo* to the Regent; and in case he desire conference upon it, the Assembly ordeans the Laird of Dun, Mr. John Craige, Mr. John Row, Mr. Alexander Arbuthnot, Mr. Andrew Melvil, Mr. James Louson, and some others, to wait on the said conference, as advertished by his Grace.

After this Assembly a party was formed against the Regent, as our Historians relate, and upon the fourth of March, 1578, he resigned, and the King took the government in his own hand. Every thing anent the policy ordanied by the last Assembly was done, and a copy put in the hands of the Regent, but this change interveening, the ministers named desired a conference with the Privy Council upon that subject. In Aprile the Assembly met, and aproved what was done in the Head De diaconatu, and again aprove the whole Second Book of Discipline, and appoint a copy to be presented to the King with a supplication, and the same persons named before to wait on a conference, when appointed by his Majesty and Council. In the next Assembly, June, 1578, the Laird of Dun and the rest of the bretheren reported, That they had presented the policy to the King, that he had received them graciously, and promised to be a procurator for the Kirk, and concurr with them in all things that might advance religion, and that his Majesty presented the policy and their supplication, and a conference had been betwixt some of the Councill and them, which was produced and read. Upon the reading of the minuts of this conference, the Assembly gave their judgment upon what was done in the severall chapters of the Book of Discipline, which stands Appendix No. [VI.] In the next Assembly, October, 1578, a new conference was appointed upon the policy, at Stirling, December 22, among the following persons:—the Earle of Buchan, the Bishops of Saint Andrews and Glasgow, the Commendator of Dumfermline, the Laird of Dun, the Laird of Segie, Mr. G. Buchanan, Mr. Peter Young, Mr. Robert Pont, Mr. James Lowson, Mr. John Row, and Mr. David Lindsay; who accordingly met, and agreed to the Second Book of Discipline, with a few inconsiderable amendmets, which are to be seen in Spotswood, in part, but since the Laird of Dun was chosen moderator, I have insert the minutes of the conference, as preserved by Calderwood, Appendix No. [VII.] In the next Assembly, July, 1579, the King in his letter desires the Assembly to let what was not aggreed in the former conferences ly, without prejudging the same, till Parliament meet, when he is satisfied what is not fully reasoned be prepared and passed into lawes. In common course, the report of the committy at Stirling, behoved to come in to the Assembly, and they gave their judgment very shortly as it stands,

Procedure on
the Second
Book of Disci-
pline, 1578.

The Assem-
bly's judgment,
1578, on the
Conference on
the Second Book
of Discipline.
App. No. VI.

Minutes of the
Conference on
the Discipline,
December 22,
1578.
App. No. VII.

P. 40.

Assembly's
judgment on it.

App.No.VIII. Appendix No. [VIII.] The Book of Discipline afterwards was ordeaned to be subscribed, but a civil sanction was never given to it; the Earle Mortoun, a great enimie to the Policy being of late come in Court, and after his execution, D'Aubigny and others had the power of the King, and effectually stoped any thing this way.

Articles presented by the Laird of Dun, John Craige, Thomas Smeton, and Andrew Melvil, are sent to the King, to crave that a stope be put to the education of our youth in Popish schools abroad. That in order to the reformation of the University of Saint Andrew's, the King may cause the fundations, erections, and other papers of the Colledge be exhibited. That order be put to the Jesuits come into the country; that another Minister may be called to his Majesty's family, two being needfull; that some things as to the Policy being left undetermined at the last Conference, persons unspotted with the corruptions desired to be reformed, may be nominat to end what remains; and that his Majesty may not put a stope to the Acts of Generall Assembly, but suffer excommunication pronounced to have due execution.

1583, he and others tra[vel] for a reconciliation between the King and Nobility.

In this Assembly, the Laird of Dun, Mrs. Duncanson, Andrew Hay, John Craige, Thomas Smeton, and Andrew Melvil, are sent to the King, to crave that a stope be put to the education of our youth in Popish schools abroad. That in order to the reformation of the University of Saint Andrew's, the King may cause the fundations, erections, and other papers of the Colledge be exhibited. That order be put to the Jesuits come into the country; that another Minister may be called to his Majesty's family, two being needfull; that some things as to the Policy being left undetermined at the last Conference, persons unspotted with the corruptions desired to be reformed, may be nominat to end what remains; and that his Majesty may not put a stope to the Acts of Generall Assembly, but suffer excommunication pronounced to have due execution.

In short, in all the applications to the King by the Assembly for removing greivances, and asking his concurrence to what they did, the Laird of Dun is almost alwise one sent to wait on his Majesty. Particulars would be endles. In the year 1583, he, with the Lairds of Pittarow, Braid, Culluthy, Mr. David Lindsay, and the King's ministers, wer appointed to travell with the King for agreement between him and the nobility, when he was turning severe upon the Earle of Angus and others concerned in the Road of Ruthven, and for the making peace among the nobility: But their endeavours had litle succés.

He yeilds too far to court measures, 1584.

Next year, 1584, when, as we have seen in Mr. Craige's Life, the ministers refused to subscribe an acknowledgment of the Acts of Parliament, afterwards retracted by the King, this good man was too much under the influence of the Court, and after Mr. Craige had subscribed, used his interest to bring the ministers in the north, to the Court measures. He was now growen old, and wanted full information of that affair, and seems from his fears of extremitys against ministers, and out of the great regard to peace, to have been prevailed upon to fall in with this corruption. Mr. Petry tells us, that he saw the originall patent, wherby the King grants "to John Erskine of Dun, our well beloved clerk and commis-

“ sioner in Ecclesiastick causes, the exercise of spirituall jurisdiction within
 “ the Diocie of Brechin, providing that his authority in any grave matter be
 “ limited and circumscribed to the counsell of 13 of the most wise, godlie
 “ and ancient pastors of the said diocie to be elected forth of the whole
 “ synodall assembly, and allowed by us, with answer of our privy council
 “ or most part of them.” The King, under the influence of Mr. Patrick
 Adamson, had in this hour of darknes, assumed to himself all spirituall
 jurisdiction, and the bishops or commissioners received all their powers
 from him. This gratified the vanity of a young Prince, though foolish as
 well as unscripturall, and quite out of the magistrates road and office. I
 do not think ever this gentlman exercised this power, neither find I the
 least footsteps of his acting at this time as King’s commissioner in spiritu-
 alls. And if such a patent was sent him, he was a better man than to
 accept of it. His compliances in this hour of tentation wer too many,
 but when the weight was off, I find him going on heartily with his bretheren
 in the reformation of abuses; and I doubt not but he and severall others
 wer sensible of their failours, and all was forgot when matters came again
 to their right channel.

King’s pa-
 tent to him for
 exercising spi-
 rituall jurisdic-
 tion in the Di-
 ocie of Brechin.

p. 41.

Accordingly, I find the Laird of Dun in the year 1586 named by the
 assembly to consider the places fittest for erecting of Presbitrys, with severall
 others and he was active in the erection of Presbitrys, and very usefull in con-
 ferences with the King and council this way. Next year he is among those
 appointed to present the Churches articles and petitions to the King and
 Parliament; and next year, 1588, when the Assembly names their com-
 missioners and visitors till the next Assembly, he is named for Angus and
 Merns, but in respect of his age and infirmity, the work is laid most on
 William Christeson.

His share in
 the erection of
 Presbitrys,
 1586.

In his advanced years his infirmitys grew upon him till March 12,
 1591, he got to his rest, and reward of very much service done by him for
 his country and this Church. He dyed at his own house of Dun, in the
 82d year of his age, leaving a numerous posterity behind him.³ His son
 and heir was an inheriter of his vertues, as well as his estate, and we have
 seen he sat and was imployed in some of our Generall Assemblys. Bishop
 Spotswood gives him a short but large character, and, I doubt not, very just.

He dyes,
 March 12, 1591,
 aged 82 years.

³ See Note C.

“ That he was a Barron of good rank, wise, learned, liberall, and of sin-
 “ gular courage, who for diverse resemblances may well be said to have

Bishop Spots-
 wood’s charac-
 ter of the Laird
 of Dun.

“ been another Ambrose. He was famous for the services performed to
 “ his Prince and country, and worthy to be remembered for his travels in
 “ the Church, which out of zeal to the truth he undertook, preaching
 “ and advancing it by all means. Before the Reformation his house was
 “ to those who wer at that time called hereticks, a speciall place of refuge.
 “ Afterwards such was the scarcity of ministers, that he took upon him
 “ the charge, and was chosen with the first to have the oversight of the
 “ churches in the north parts, which he governed to his death most wisely,
 “ and with great authority, giving no way to the novations introduced,
 “ nor suffering them to take place within the bounds of his charge while
 “ he lived.”

Remarks on
it.

The Archbishop's words in the last branch of his character will bear a double sense. If by innovations, as indeed one may suspect, he means the Discipline and Presbyterian goverment of this Church, what we have now seen shoves this is no just part of his character ; if by innovations he means the Tulchan Bishops, we see how much he opposed them, with what authority and zeal he writes to the Regent upon this head. We have seen his share in the Second Book of Discipline, and his part in erecting Presbitrys, after some false steps he had fallen into in his advanced years. The knowledge of these facts, made Mr. John Row, who personally knew him, and I doubt not was much with him in his younger years, in his MS. history recon the Laird of Dun with Mr. Knox, Mr. Craig, Mr. Arbuthnot, Mr. Smeton, and others, a zealous opposer of the hierarchie.

P. 42.

A generall
view of this
worthy person.

In short, he has the honnour to be among the first who professed the Reformation in the North of Scotland, and to have a very great share of bringing it about. He was a person of singular prudence, great generosity and liberality, and considerable learning, and very bold and zealous. His good temper led him to yeild too much to the importunity and specious pretexs of the Queen Regent, Earle of Mortoun, and King James, which was his only infirmity I know of. But above all, he was singularly pious and religious, and from his closs walking with God had somtimes singular communications of his mind. I have seen nothing of his in print, save his share of the Second Book of Discipline, part of which he formed. This is all I have mett with concerning this worthy gentleman.

COLLECTIONS

UPON THE

LIFE OF MR. JOHN SPOTSWOOD,

MINISTER OF CALDER, AND SUPERINTENDANT OF LOTHIAN.

COLLECTIONS

UPON THE

LIFE OF MR. JOHN SPOTSWOOD,

MINISTER OF CALDER, AND SUPERINTENDANT OF LOTHIAN.

Mr. SPOTSWOOD the elder, and father to the Bishop, and Historian, ^{Dec. 3, 1729.} deserves a room in the lives of our Reformers. He was minister to the ^{Reasons of writing and materials whence this life is taken.} excellent family of the Sandilands of Calder, since Lords of Tarphicean, who wer most forward and zealous in our secession from Popery; and no doubt, by his prudent advices and assistances, Mr. Spotswood was very usefull in that great turn. He was made Superintendant of Lothian at the Reformation; and for twenty years, or therby, till he turned infirm, he was present in our Assembly, very hearty against Popery, and a cheif person in the publick transactions in the Church. Some hints as to his parentage and privat life I have from his son the Bishop's life, printed before his history, and the rest of my materialls I have from Mr. Calderwood's MS. and our Assembly registers, with the hints his son gives of him in his history.

Mr. Spotswood was born in the year 1510. He was a son of the ^{Born, 1510, a son of the} Laird of Spotswood in the Mers, within the Barrony of Gordon. Its ^{a Laird of Spotswood.} very ancient family, and by their bearing the arms of the Gordons, its probable (sayes his son the Bishop) that their progenitors wer of the

¹ See Note A. surname of Gordon ;¹ his father, Spotswood of that Ilk, was killed with his Sovereigne King James the Fourth, at the unfortunat battail of Floudon ; and he was left an orphan of 4 years of age. Mr. Spotswood, Advocat, in his life of the Superintendant's grand[son], Sir Robert Spotswood, tells us the barrony of Spotswood lyes in the parish anciently of Gordon, and of Woolstruther, and appeals to the registers of the abbacy of Kelso for a frequent mention of the barrony of Spotswood. Robert Spotswood subscribes the bond, commonly called Ragman's-Roll, in the year 1295. John Spotswood of that Ilk, was a counsellor and favourite of David the Second, and is a witnes to many of his charters. He built a chappell at his tower of Spotswood, called White-chappell, and founded an altarage in St. James' Church in Roxburgh. Henry Spotswood was a favourite of King James the I. William Spotswood of that Ilk, the Superintendant's father, was killed at the battail of Flouden.

Educated at Glasgow. He was educated at Glasgow, and studied at that University, where he took the degree of Master of Arts. Mr. Crawford, in his Life of Archbishop Spotswood, says, the Superintendant studied divinity at Glasgow, under the famous Jo. Major there ; I wish he had given his voucher.² His

² See Note B. inclinations led him to the study of divinity ; and when he purposed to go on in that study there, he was wholly diverted therefrom, by the persecutions he observed, of those then called Hereticks. We may guess this was about the year 1538, when Mr. Russell and Kennedy were burnt at Glasgow, as we have seen in the introduction. The seeing the exemplary sufferings of these good men, and his hearing of others at Edinburgh, St. Andrews, and elsewhere, filled him with very bad impressions of the Popish Clergy, whom he perceived the instruments of these barbarities, and [made him] lay aside all thoughts of following Theological studies ; but God had service for him he knew not of.

Goes to England, and by Archb. Cranmer's means, is brought to know the truth, about the 1538. Under this view, Mr. Spotswood went up to London, there to apply himself to some other business. There, as his son tells us, he fell in familiarity with Archbishop Crammer, and was by his means brought to the knowledge of the truth. The Archbishop was a great encourager and supporter of learned men, as we have seen, and seems to have had a particular concern to have the truth spread to Scotland, and severall instances of his concern to have King James the V. brought off from Popery, and his

kindnes to our noblemen prisoners in England have occurred in the Introduction ; and his good services to Mr. Spotswood wer of use to help on the Reformation here.

Mr. Spotswood seems to have continoned in England from about the 1538, to the beginning of the 1543, when, upon King James the Fifth his death, King Henry sent down the prisoners taken at Solloway defeat, to eary on the designed marriage of his son with our young Queen. At London its probable he fell into acquaintance with the excellent Earle of Glencairn, and came down with him to Scotland. His son tells us that he stayed a long time with Alexander, Earle of Glencairn, who was knowen to be well affected to the truth. By his means he came to be acquainted with Mathew, Earle of Lennox ; and when the Earle was, as we have seen in the introduction, cast off by France, though sent over by them to counter Governour Hamiltoun ; and about the 1545 or 1546, Mr. Spotswood was sent up to negotiat matters at the English Court, and having brôt about things according to the Earles desire, he went up with him to England, and stayed with him for some moneths. I notice these things to shew the advantages Mr. John had in his youth, both for knowledge and action, and no doubt he improved them ; and that we may see he was a person of considerable capacitey, sufficiency, learning, and knowledge of the worlde.

Returnus to Scotland, 1543, and staves with the Earle of Glencairn.

P. 2.

He came back to Scotland after staying some moneths with the Earle of Lennox ; and his son tells us, being knowen to Sir James Sandilands of Calder, a man of great authority of these times, he was by him presented to the Personage of Calder. Ther is a passage in our Assembly records, which states the year of his entry to be minister at Calder. The parishoners of Calder complean to the Assembly, that their minister presented to their parish, fifteen years ago, was substracted from his cure at that Kirk, by his being superintendant, &c., as I shall afterwards more fully notice. It was then in the year 1548 Mr. Spotswood was presented, and no doubt received induction and the orders of those times, to that parish which [is] eight miles from Edinburgh, and so he is another of our reformers whose orders the papists, and our highflying protestants, according to their own principles, must not question. Mr. Crawford's remark on the superintendants wanting imposition of hands flowes from his not knowing of this.

Mr. Spotswood ordeaned minister of Calder, 1548,

Where mostly
he continued
till the Refor-
mation.

During the next ten years, he lived sometimes with Sir James Sandy-lands, and not being tyed, it seems, to constant residence at his cure, sometimes with Lord James, prior of Saint Andrew's. We need not question but in the 1555, when Mr. Knox came over, and he was sometimes at Calder, and with Lord James, afterwards the good Regent, Mr. Spotswood was with them, sometimes; thò probably privatly, for fear of his superiors in the clergy. I do not find him preaching till the Reformation, thò I doubt not in the fa[m]ily of Calder, and to his people he preached the truth, as freely as he might. When Lord James went over in the 1558 with the rest named by Parliament, upon the marriage of our Queen with the Dolphin, he took Mr. Spotswood in his company to France. Upon the breaking out of the Reformation, his son says he preached at Calder till he was appointed superintendant.

July, 1560,
Superintendant
of Lothian.

As soon as the French wer expelled, July, 1560, ther was a meeting of the well affected noblmen, barrons, and burgesses, who had caryed on the Reformation, for the fixing the few ministers, then in Scotland, who wer but in number eight, to the principall burghs in the Kingdom; and five superintendants wer nominat by them for planting desolat countrys with ministers, as soon as they could be had; and in the mean time to visit them, and preach wher they visited, and stirr up the nobility and gentry to joyn with the people, in seeking ministers to be planted among them: of these he is still named as the first, and was pitched to be superintend[ant] of Lothian, and sometimes Mers and Tiviotdale are added to his bounds. He is named with Knox, Winram, Willock and others whose lives stand in this work to frame both the Confession of Faith, and First Book of Discipline this year, and from these we may see what doctrines and goverment in the Church wer that he approved, better than from the insinuations and unsupported assertions his son the Bishop, and the writter of the Bishop's Life give us.

P. 3.

He is admit-
ted Superin-
tendant by Mr.
Knox, March
9, 1561.

Upon the 9 of March, 1561, (in the old style 1560,) Mr. Knox, minister of Edinburgh, admitted Mr. John Spotswood, superintendant of Lothian; its probable he was the first superintendant who was admitted to this temporary office; so many things necessary wer to be done, at this extraordinary time of setting up a constitute reformed Church, and the order and form of it concerted, that there was need of this delay for

seven or eight moneths, before it could be publickly gone about. The whole manner of procedure is to be seen in, *The forme and order of the election of the superintendant*, which may serve in the election of all other ministers, which hath been many times printed, and most correctly, lately in the second volume of the *Confessions, &c.*, Edinburgh, 1721. I have reason to believe this Order was penned by Mr. Knox, and he hath inserted it in his history.

Because that short treatise may not be in the hand of every one who reads this Biography, and it is drauen up particularly with an eye to Mr. Spotswood, He give from it a short abstract of what passed principally as to him. Mr. Knox was Moderator of the meeting, which, I suppose, was in the Church at Edinburgh. In his sermon he handled these heads, “The necessity of Ministers and Superintendants; The crimes and vices that might unable them of the ministry; The virtues required in them; and lastly, Whether such as by publick consent of the Church wer called to such offices, might refuse the same?” The Sermon being finished, Mr. Knox, as our way at present continoues, resumed the steps taken, in serving the edict and the like, he declared, “That the Lords of secret councill, had given charge and power to the Churches of Lothian, to chuse Mr. John Spotswood, superintendant, and that sufficient warning was made by publick edict, to the Churches of Edinburgh, Linlithgow, Striviling, Tranent, Haddingtoun, and Dumbar; as also to Earles, Lords, Barrons, Gentlemen, and others, having, or that might claim to have, vote in election, to be present that day at the same hour.” From this I gather, that the setting up of superintendants was agreed on with consent of the privie councill, which had the present exercise of the civil goverment, according to the treaty, at the removall of the French [du]ring the Queen’s absence. The superintendants, needed the concurrence of the civil magistrat, in planting parishes; and its probable they had their stipends appointed by the Government, and it was a very wise step to take the councils concurrence as to them. He only further notice that Mr. Spotswood at this time, was admitted only superintendant of Lothian, and not of Tiviotdale and Mers, as his son the Bishop seems to intimat. The consent of the Churches of Edinburgh, Linlithgow, and the rest named above, all in the district of Lothian, at least none of them

The form and order of his election as Superintendant. The sermon, and intimation of ane edicts being served.

in Merse and Tiviotdale, was required by edict, and in all these places, and perhaps in very few more, at this time, there was a constitute Church and worshipping society of Protestants: This I gather from this, that I find commissioners sent from Edinburgh, Linlithgow, &c., to our first Generall Assembly, which was made up of ministers, and delegates from all the constitute Churches, which at first wer very few. And it was very proper that all the Churches to be under the inspection of the superintendant, should joyn in his election. The noblmen and Barrons, protestants in that district, wer also very wisely consulted in this case, that throw their help, new constitute Churehes might be planted.

Mr. Spotswood called up.
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Next Mr. John Spotswood was called up, and Mr. Knox demanded if any there present, knew any cryme or offence in him to disable him to be called to that office; this was done thrice. When no objection was moved, the people present wer asked if ther was any other they desired to be put in election with the said Mr. John, and next if they would have him to their superintendant, if they would honour and obey him as Christ's minister, and comfort and assist him in every thing perteaining to his charge. It was answered by some appointed for that purpose, "We will, and do promise to him such obedience as becometh the sheep to give unto their pastor, so long as he remaineth faithfull in his office."

Questions propounded to him, with his answers.

The peoples consent being thus declared, Mr. Knox proposed the following questions to Mr. Spotswood.

Q. "Seeing ye hear the thirst and desire of this people, do ye not think yourself bound in conscience before God, to support them that so earnestly call for your comfort, and the fruit of your labours?"

A. "If any thing wer in me able to satisfy their desire, I acknowledge myself bound to obey God's calling by them."

Q. "Do ye seek to be promotted to this office and charge for any respect of worldly commodity, riches or glory?"

A. "God knoweth the contrair."

Q. "Belive ye not the Doctrine of the Apostles and Prophets, conteained in the Books of the Old and New Testaments, is the only true and most absolute foundation of the universall Church of Jesus Christ: insomuch as in the same scriptures, are conteined all things necessary to be belived for the salvation of mankind?"

A. "I do verily belive the same, and do abhorr and utterly refuse
"all doctrine, alledged necessary to salvation, that is not expressly con-
"tained in the same."

Q. "Is not Christ Jesus, man of man according to the flesh, to wit,
"the son of David, the seed of Abraham, conceived of the Holy Ghost,
"born of the Virgin, his mother, the only head and mediator of his
"Church?"

A. "He is, and without him there is neither salvation to man nor
"life to Angel."

Q. "Is not the same Lord Jesus the only true God, the eternall
"son of the eternal father, in whom all that shall be saved were elected,
"before the foundation of the world was laid?"

A. "I acknowledge and confess him, in the unity of his Godhead,
"to be God above all things blessed for ever."

Q. "Shall not they, whom God in his eternall counsell elected,
"be called to the knowledge of his son, our Lord Jesus? and shall not
"they who of purpose are called in this life be justif[ied]? and where jus-
"tification and free remission of sins is obtained in this life, by free grace,
"shall not the glory of the sons of God follow in the generall resurrec-
"tion, when the son of God shall appear in his glorious majesty?"

A. "This I acknowledge to be the doctrine of the Apostles, and
"the most singular comfort of God's children."

Q. "Will ye not containe yourself in all doctrine, within the bounds
"of this foundation? will ye not study to promote the same, as well by
"your life, as by your doctrine? will ye not, according to the graces and
"utterance that God shall grant unto you, profess, instruct, and maintain
"the purity of the doctrine, contained in the sacred word of God? and
"to the uttermost of your power, will ye not gainstand and convince the
"gainsayers and teachers of men's inventions?"

A. "That I do promise in the presence of God, and his congrega-
"tion here assembled."

Q. "Know ye not that the excellency of this office, to the which
"God hath called you, requireth that your conversation and behaviour be
"such, as ye may be irreprehensible, yea even in the eyes of the ungodly?"

A. "I unfeignedly acknowledge, and humbly desire the Church of

"God to pray with me, that my life be not slanderous to the glorious
"evangel of Jesus Christ."

P. 5. Q. "Because you are a man compassed with infirmitys, will you not
"charitably and with lowlynes of spirit, receive admonition of your breth-
"eren, and if ye shall happen to slide, or offend in any point, will ye
"not be subject to the discipline of the Church, as the rest of your
"bretheren?"

A. "I acknowledge myself to be a man subject to infirmity, and one
"that hath need of correction and admonition; and therfor I most wil-
"lingly submitt myself to the wholesome discipline of the Church; yea to
"the discipline of this same Church, by the which I am now called to
"this office and charge: and here, in God's presenee and yours, I do
"promise obedience to all admonitions, secretly or publicly given, unto
"the which, if I be found inobedient, I confess myself worthy to be
"ejected, not only from this honour, but also from the society of the faith-
"full, in case of my stubbornness; for the vocation of God, to bear charge,
"withiun his Church, maketh not men tyrants, nor Lords, but appointeth
"them servants, watchmen, and pastors to the flock."

After the peo-
ple consent, he
is set apart by
prayer.

Then Mr. Knox asked the people, Require ye any further of this
your superintendant? and upon silence, further asked them, "Will you
"not acknowledge this your brother for the minister of Jesus Christ? will
"ye not reverence the word of God that proceedeth from his mouth?
"will you not receive of him the sermon and exhortation with patience,
"not refusing the wholesome medicin of your soules, altho it be bitter and
"unpleasing to the flesh? will ye not finally mentean and comfort him
"in his ministry against all such as wickedly would rebell against God,
"and his holy ordinances." An answer being returned from them, that
they would, as they would answer to the Lord Jesus, who hath comanded
his ministers to be had in reverence as his ambassadors, and as men that
carefully watch for the salvation of souls, he put this question particularly to
the nobility, who made the same return. Then Mr. Knox prayed. The
tennor of his prayer is preserved in the form and order from which I take
this abstract. In the petitory part, he askes from the Redeemer, the
eternall son of God, (and indeed the whole prayer is directed to him,) that
he would *send to this, our brother, whom we have in thy name charged*

with the cheif care of thy Church, within the bounds of Lothian, such a portion of his Holy Spirit as may rightly divide the word ; and in the doxology, Christ is owned to be their Lord, King, and only Bishop ; and the prayer is concluded with the Lord's prayer.

Whither ther was with this prayer joyued imposition of hands, does not appear, its probable it was not ; after prayer the ministers and elders in signe of their consent, took Mr. Spotswood by the hand. Then Mr. Knox pronounced a very solemn benediction upon him now set apart to this office, by prayer, which is set down in the form ; and last of all Mr. Knox directed the following exhortation to Mr. Spotswood : “ Take heed “ to thy self, and to the flock committed to thy charge, carefully ; not as if “ it wer by compulsion, but of very love which thou bearest to the Lord “ Jesus. Walk in simplicity and purenes of life, as becometh the true “ servant, and ambassador of the Lord Jesus. Usurp not dominion nor “ tyrannicall authority over thy bretheren. Be not discouraged in adver- “ sity, but lay before thy self the example of the Prophets, Apostles, “ and of the Lord Jesus, who in their ministry susteained contradiction, “ contempt, persecution, and death. Fear not to rebuke the worlde of “ sin, justice, and judgment. If any thing succeed prosperously in thy “ vocation, be not puffed up with pride, neither yet flatter thy self, as if “ the good success proceeded from thy virtue, industry, or care. Let “ ever that sentence of the Apostle remain in thy heart : *what hast thou “ which thou hast not received ? if thou hast received why glorys thou ?* “ comfort the afflicted, support the poor, and exhort others to support “ them. Be not solist for the things of this life, but be fervent in prayer “ to God for the encrease of his Holy Spirit. And, finally, behave thyself, “ in this holy vocation, with such holy sobriety, as God may be glorified “ in thy ministry, and so shalt thou shortly obtain the victory, and shal “ receive the crown promised, when the Lord Jesus shall appear in his “ glory : whose omnipotent spirit assist thee, and us to the end. Amen.” Then the 23d Psalm was sung, and the action concluded.

Mr. Knox
benediction and
last exhortation
to him.

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I have given the larger account of the admission of Mr. Spotswood to be superintendant, both because he was probably the first who was admitted and the same order was used in the admission of the rest, and even of the Tulchan Bishops ; I am ready to think it was some time after this

Remarks on
this admission
and proofes
from it, that
Superintend-
ants had noth-

ing of prelacy
in their tempo-
rary office.

before that the other four wer admitted for want of constitute Churches to elect them ; and in the last room to give the proper and naturall view of this temporall [temporary] office, and shew that it was quite different from Prelats and Bishops in the modern sense. The best arguments in this case, are what are taken from facts, and the nature of the office, which by far is best to be seen in this admission and ordination to it. So that it was quite without ground that the writer of Bishop Spotswood's Life (the Bishop himself indeed goes not so farr) sayes, " when he was superintendant he exercised fully the power, and faithfully discharged the office of a Bishop, for it was not the office, but the name, which the first reformers startled at, thò they who have succeeded them, have since, to their own ruin, cast out both." This life, befor Spotswood's History, together with the preface, is generally supposed written by Bishop Duppa ; if so, the Bishop has been much a stranger to the history of our first reformers. It is certain they had neither name nor office of a Bishop. The name (I mean in the writters sense) was not knowen, save in a fen Popish Bishops such as got their rents, till the Tulchan Bishops came in ; and than they wer tyed down to the power of superintendants, which had been nonsense, had the office of superintendants been the same with what was commonly understood then by that of Bishops, and not one of our superintendants would be Tulchan Bishops, thò I doubt not, Mr. Spotswood and the Laird of Dun might have been made the two Tulehan Archbishops, if they had pleased, but they wer both better men than to truckle into a nominal office, to serve the designes of the court, and wer both, in their principles, against prelacy in this Church, and so far wer our first reformers from a humorsome startling at the name, that it was from dislike of the office of a Bishop, in the prelatick sense, that they startled at the name of Bishops and Archbishops, least they should bring in the office, of which they had seen the antichristian nature, and felt the weight of, under Popery. So Bishop Duppa, or whoever writes that life, is perfectly mistaken, in asserting, that Mr. Spotswood, as superintendant, had the power and office of a Bishop. In the after part of this work, we shall see the many differences between our superintendants and Bishops in the modern sense of the word, and a heap of proofs might be brought from the above form and order of their election and admission. The above order was agreed to,

when framed by Mr. Knox, as the ordinary method of ordeaning, and admission of pastors, as we see by its title, and the ordinary practise in this Church for many years. This appears to me an unanswerable proof that this reformed Church took superintendants to be no office distinct from pastors and ministers. Mr. Knox formed it, and admitted Mr. Spotswood; and I believe the keenest defenders of prelacy will scarce think Mr. Knox was on their side, or had any notion to set up prelacy, when this temporary office was set up. The edict is published in the Churches of Lothian; they choose Mr. Spotswood Superintendent; in the mutual tie betwixt them, the people promise honour, obedience, and assistance to him as a minister of Christ, and that obedience the sheep owe to their pastor; he owns himself called of God by the people, and promises most solemnly to be subject to correction, admonition, and the discipline of the Church, and in particular to the Church of Lothian; yea he renoun[ces] all tyranny and lordship in the Church, and owns himself a servant, watchman, and pastor, and no more. In a word, the whole tenour of this solem action excludes every thing like prelacy from superintendants. Mr. Spotswood, indeed, is charged with the chief care of Christ's Church in Lothian, as to planting and visitation, in this time, when perhaps there were not above four other pastors in all that bounds, and least any bad improvement should be made of his having the chief charge for a season, and till ministers were provided, he is most solemnly required to usurp no tyrannicall authority over his bretheren, the other pastors and rulers, or any dominion whatsoever over them. Indeed I own, afterwards when ministers, voters in Parliament were brôt, about 36 years after this, the Assembly laid them under restrictions, and they promised in the most solem manner to keep the cautions given them. But these our first proper prelates in Scotland, got throu their promises and oaths; and upon this score many of our writers give them the epithet of perjured. Meanwhile it must be observed, to the honour of our superintendants after the Reformation, men indeed of a quite other kidney, that as they refused the office of Bishops, so none of them offered to go beyond the limitations set to them as superintendants; and if in some smaller points they failed, which was only in omissions and defects, they pleasantly submitted themselves to the admonitions of their fellow pastors, with whom they acted in

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the greatest joyntnes, and the consent of the plurality of the pastors of their bounds was necessary in their actings, and they wer perfectly subject to the sentence and censure of the Generall Assembly ; yea, of their own provinciall Synod, as soon as the paucity of ministers allowed these judicatorys. This may be answer enough to what Mr. Cranford in his Life of the Bishop, the superintendent's son, from his son tells us of the superintendants being for prelacy.

June, 1562,
the Assembly's
answer to the
parish of Cal-
der's petition
as to Mr. Spots-
wood.

At first Mr. Spotswood continoued to exercise the pastorall charge of his flock at Calder, and preached to them as frequently as he could ; and all the superintendants seem to me to have had the charge of a particular flock, as well as the oversight of their bounds, and at first for a year or two, before multiplicity of bussines broke in upon him, as the Church encreased, it seems he had such laizour, as tollerably to mind his people. But in a litle, other publick bussines so took him up, that the parishoners recon themselves at a loss, and so complean to the Assembly which met, June, 1562. Mr. Calderwood in his MS. gives us the following account of this. " Sess. 6. John Douglas of Pumferston complaining in " name of the Kirk of Calder, that they are defrauded diverse times of " the preaching of the word, since their minister was elected superintendent " of Lothian, desired the said superintendent to be restored again to " them, or some qualified minister to be provided to them. It was " answered, the profite of many Kirks was to be preferred to the profite " of one particular, and that the Kirk of Calder should either be occupied " by himself, or by some other qualified person in his absence ; which " could not be otherwise helped in this rarity of the ministry ; and that " they should have compleaned, when the publick edict was set forth, 20 " dayes before his admission."

What passed
about him, As-
sembly, Dec.,
1562.

In the Assembly, December, 1562, " The superintendent of Lothian " was removed and tryed. It was required by the Commissioners of " Edinburgh, that he would sometimes preach in there [their] Kirks as " the principall room within his jurisdiction, and others required that he " would visit Musselburgh and Stirling oftener. Then the ministers of " Lothian and Stirling wer removed : " Mr. Calderwood adds, " in this " Assembly it was compleaned that idolatry was erected in diverse places " of the kingdome, for redres wherof some thôt best that supplication be

“made to the Queen, others demanded what answer was received to the former? the superintendant of Lothian, who presented it, said he received no answer. It was answered for the Queen’s part, for her supporters were allwise present, that it was well known to the whole kingdom what troubles had fallen out since the last Assembly, and therefore no wonder no answer was given; but betwixt and the next Parliament, in May next, they doubted not but such answer should be given as would please all honest men. This answer satisfied the Assembly for this time. But it was the practise of the Queen and her counsell with fair words to drive time.”

In the Assembly, December, 1563, I find the superintendants avocations growing so much upon them by the encrease of work, that they pressed to be eased of it. This is desired by Mr. Willock who says he engaged in the work of superintendant only for a season. Mr. Spotswood asks the same. “Sess. 1. when the superintendants were tried, Mr. J. Spotswood was removed; when he returned, he requested the Assembly to give him liberty to return to his former cure, because he was not able to discharge so great a burden as he was burdened with.” I find no complaints given in against him at this Assembly, as there are against those of Fife, the West and Angus, for Mr. Kerswell of Argyle I find him very little in our Assemblies. No answer was returned to his desire, save that they willed him to continue in his office. This is another proof, superintendants and prelates were different offices; the superintendants depend entirely on the Assembly, and they offer frequently their office to them. In the fourth Session, the parishoners of Calder renew their application to this Assembly. “The parishoners of Calder complained that Mr. John Spotswood presented to the personage of Calder, 15 years ago, had been promoted three years since to be superintendant of Lothian, without their knowledge, and that by reason of his public office and exercise he was abstracted from his cure at the said Kirk, for the most part of the year; desire therefore, as before, to cause him to renounce his office of superintendanship, and return to his former vocation, or else to demitt the said personage, to the affect another qualified man might be presented. In consideration that it is impossible that one man may brook and exercise two offices in the Kirk of God, but one of them

Assembly,
Dec., 1563, he
seeks to be freed
of his office.

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“ must be neglected, otherwise we shall differ little from the Popish Kirk, “ wher one person had plurality of benefices.” The Assembly judged the former answer, given July 4, 1562, sufficient. Whether Mr. Spotswood continued to have the charge of the parish of Calder to his death I know not ; its probable he did, for during Queen Mary’s reigne and afterwards, the civil government wer very slack in paying the stipends once promised them ; and its probable Mr. Spotswood could not have subsisted himself and his family, unless he had been continued in his right to the personage of Calder, and I am ready to think, that in some years after this, the superintendants work turned somewhat easier, when the number of ministers encreased, and when the country round was better supplied, he would easily get more assistance and help.

Mr. Spotswood sent to the Queen, June, 1566, upon the Prince’s birth, with what passed.

I need not observe, for it will fall in, in the succeeding lives, that Mr. Spotswood was ordinarily engaged in all the public meetings, assemblies, conferences, and other publick actings of this Church, at this time. I shall only hint a few things that more particularly concern him. His son, the Bishop, gives us this passage concerning him. The Queen was brought to bed of a Prince in the Castle of Edinburgh, June 19, 1566. The nobility in town, and the ministers and people, met next day in Saint Gile’s Church, and rendered publick thanks to God, for the Queen’s safe delivery. “ The Generall Assembly convened in Edinburgh on the 25 “ of June, and sent the superintendant of Lothian to testify their gladnes “ for the Prince’s birth, and to desire he might be baptized according to “ the form used in the Reformed Church ; to this last no answer was “ given, otherwise the superintendant and his commission wer very graciously received. The Queen calling to bring the infant, that the superintendant might see him, he took him in his arms, and falling on his “ knees, conceived a short and pithy prayer, which was very attentively “ heard by her ; and having closed his prayer, he took the babe, and “ willed him to say Amen for himself ; which she took in so good part, “ as continually she called the superintendant her Amen. This story “ told to the Prince, when he came to the years of understanding, “ he alwise call[ed] him his Amen, and whilst he lived, did respect and “ reverence him as his spirituall father.” I have given this in the Bishops words, thò ther is not much in it, but a fondnes we that are children

have for the smallest circumstances, relative to valued parents. We shall soon find the superintendant engaged in a matter of greater importance as to the Queen and the Reformation, which his son has seen proper to bury in silence, tho' I hope to every good Protestant it will appear very honourable to the superintendant, and shewes his firmnes, courage, and honesty, in a choak.³ See Note C.

It is this, as Mr. Calderwood gives it in his MS. on the year 1568, after he has narrated the Queen's escape out of Lochlevine, May 2, this year, and many Lords their repairing to her at Hamiltoun, and the Regents gathering forces at Glasgow under many disadvantages, he adds, "In the mean time the ministers celebrated publick fasting, and prayed "that the Lord would turn the Queen's interprize into nothing. Mr. John Spotswood, superintendant of Lothian, directed this admonition "following, to the professors within his bounds. His warn-
ing to Profes-
sors, May, 1568,
after the Queens
escape.
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“ “ Mr. John Spotswood, superintendant of Lothian, to all that

“ “ professe, or have professed the Lord Jesus, and have refused

“ “ that Roman Antichrist called the Pope, within the dioces

“ “ committed to his charge ; desireth grace, merrey, and peace

“ “ from God the Father of our Lord Jesus Christ, together with

“ “ the spirit of rightious judgment :

“ “ That fearfull sentence pronounced by God himself to his prophet

“ “ Ezekiel, against the watchman that seeth the sword coming, and doth

“ “ not blow the trumpet, and plainly warn the people, compelleth me to

“ “ write to you (beloved in the Lord) this my rude letter, because my

“ “ corporall presence and weak voice cannot be extended to you all, in

“ “ this dangerous and most wicked day ; to you, I say, I am compelled to

“ “ cry by my pen, that the sword of God's just judgment is come, and hath

“ “ devoured some according to the forwarning of his messengers ; and,

“ “ alace, I fear, is yet drawen and near to devour mo. The first part of

“ “ this cannot be denyed, and the second also hath great probability ; and

“ “ yet, I fear, that every man seeth not, at least will not confess, the very

“ “ cause neither of the one nor the other.

“ “ We see a wicked woman, whose iniquity knowen and lawfully

“ “ convict deserveth more than ten deaths, escaped from prison ; this is

“ “ the first. Negligence of the keeper, its not to be excused, so it may

“ ‘ well occupy the second place before men. Practises of deceitfull men,
 “ ‘ together with her own villany, justly may occupy the third rank in that
 “ ‘ wicked fact. But none of all thir should have had place to work, if the
 “ ‘ mouth of the Lord had been obeyed : for if she had suffered, according
 “ ‘ as God’s law commandeth murderers and adulterers to die the death,
 “ ‘ and the wickednes been taken forth from Israel, the plague should have
 “ ‘ ceased, which cannot but remain so long as that innocent blood, traitor-
 “ ‘ ously shed, is not punished according as God hath commanded. And
 “ ‘ so I fear not to affirm that the reservation of that wicked woman, against
 “ ‘ God, and against the voices of his servants, is the first and principall
 “ ‘ cause externall which man can see, of the plague and murther lately
 “ ‘ begun.

“ ‘ And yet when I confess it to be the first externall cause, I mean
 “ ‘ not that it is the only and sole cause of this present and appearing ea-
 “ ‘ lamity. For albiet that the Devil himself be loosed (as no doubt he
 “ ‘ was) in the person of that most wicked woman ; yet could not he, nor
 “ ‘ she, greatly have troubled this commonwealth, unless she had been as-
 “ ‘ sisted by the presence, force, and counsell of such as have professed the
 “ ‘ Lord Jesus, and by all appearance had renounced that Roman Anti-
 “ ‘ christ and his damnable superstition. For albiet all the Papists within
 “ ‘ this realme of Scotland had joined with her, the danger had not been
 “ ‘ great ; for altho in number the wicked might have exceeded the faith-
 “ ‘ full, yet when the servants of God should have [had] battail only against
 “ ‘ the Canaanites, Jebusites, Amorites, and against the rest of that profane
 “ ‘ and adulterous generation, they could no more have feared now then
 “ ‘ the litle flock hath feared from the beginning of this controversy, which
 “ ‘ now by God’s power they have susteained these nyne years, against all
 “ ‘ the pestilent Papists within the same. But, alace, the sword of dolour
 “ ‘ hath peirced, and yet peirceth, many hearts, to see bretheren seek with
 “ ‘ all cruelty the blood of their bretheren, yea to see the hands of such as
 “ ‘ wer esteemed the principall within the flock, to arm themselves against
 “ ‘ God, against his son Jesus Christ, against a just and most lawfull autho-
 “ ‘ rity, and against the men who looked off them not only quietnes and
 “ ‘ peace, but to be mentenance and defence against all invasion, domesti-
 “ ‘ call and forraigne. The consideration of this their most treasonable

“ ‘ defection from God, from his truth professed, and authority most law-
 “ ‘ fully established, causeth the hearts of many godly to sobb and to mourn,
 “ ‘ and not only secretly, but also openly to crave of God the conversion
 “ ‘ and repentence of such as have assisted that most wicked woman, who
 “ ‘ ambitiously, cruelly [and most unjustly,] hath aspired, and yet aspireth,
 “ ‘ to that regiment whairfra, for impieties committed, most justly and
 “ ‘ by such order as no law can reprove, she was deposed.

“ ‘ And therfor in the bowells of Christ Jesus, I exhort all in generall
 “ ‘ and such as are under my charge in speciall, who have communicated
 “ ‘ with her odious impietys, deeply to consider their fearfull defection
 “ ‘ from God, and from his lawfull magistrates, by his word and good order
 “ ‘ erected within this realme; and that [they,] by condemnation and pub-
 “ ‘ lick confession of their folly, travail speedily to return again to the
 “ ‘ bosom of the Kirk, and to the obedience due unto the magistrates,
 “ ‘ from the which they have most traitorously declined. Assuring such
 “ ‘ as shall be deprehended to remain obstinat in their former wicked enter-
 “ ‘ prise, that, in our next letters, their names shall be expressed and pro-
 “ ‘ claimed before all congregations, wherwith if they be not moved to re-
 “ ‘ pentance, then will we (albiet with greif of heart) be compelled to draw
 “ ‘ the sword committed to us by God, and to cut them off from all the
 “ ‘ society of the body of Jesus Christ, and for their stubborn rebellion,
 “ ‘ give them to the power of Satan, to the destruction of the flesh; that
 “ ‘ they, confounded in themselves, by unfeigned repentance may return
 “ ‘ again from their wicked wayes, and so escape condemnation in the day
 “ ‘ of the Lord Jesus, whose omnipotent spirit move the hearts of all that
 “ ‘ look for the life everlasting, to consider that his coming approacheth.
 “ ‘ Amen. Given at Calder.’ ”

This admonition is evidently designed against the Hamiltouns, who were pretty forward in the Reformation, the Earle of Argyle and others, who now joyned with the Queen; and the superintendant drives the matter of the Queen's being guilty of adultery and murder, of which the proofes at that time were thot very plain and clear, as far as ever Mr. Knox did; and is of opinion that she was not only justly deposed from her regiment, but by the law of God deserved death. This seems indeed to be what the superintendants and ministers had no different sentiments about

Remark on
this admoni-
tion.

at this time, and its very probable that Mr. Spotswood would not form this plain and sharp admonition without consulting his bretheren upon this matter ; and perhaps warnings of this nature wer published in other places than Lothian at this time, as far as the suddaines of the occasion would allow.

P. 11.
What passed
as to Mr. Spots-
wood, Assem-
bly, February,
1569.

I have not much more concerning this good man, save what I find in Mr. Calderwood's accounts of our Assemblys, and our Registers. Mr. Calderwood tells us, that at the next Assembly, save one, February, 1569, he was delated for slacknes in visitation of the Kirks. The superintendant alledged in answer, the nonpayment of his stipends for these three years past, and that diverse times he had exhibited to the Justice Clerk the names of hainouse offenders, but could find no execution.

The above
admonition or-
dered to be re-
gistrat by this
Assembly.

Mr. Calderwood adds, that “ in the sixt session of that same Assembly “ it was concluded that the Letter directed to the Lords who have made “ dization from the King's Majesty, after it is returned from the Regent's “ Grace, shall be registrat among the Acts of the Kirk, and that it be “ printed.” Mr. Calderwood adds, I find not this letter in the copy of the Register, but I take it to be the same letter which the superintendant of Lothian sent to the noblmen within his bounds, before insert. From him I have taken it, and it was either penned by him, or it may be by a meeting of the superintendants and ministers at Edinburgh, upon the Queen's escape ; and we see the Generall Assembly adopt it and order it to be insert in their Registers. If it was printed I have not seen it. In the next Assembly in July, he is delated for slacknes in visitation, and reparation of Kirks ; no answer is mentioned, but its probable the last hinderance continued.

Articles pre-
sented by him
from the Synod
of Lothian to
the Assembly,
March, 1573.

Till the erection of Presbitrys, the superintendants moderated in the Synods, wher any wer, and presented what came from the Synod to the Assembly. I meet with some articles given in by Mr. Spotswood in name of the Synod, to the Assembly, which met in March, 1573, in Calderwood's MS., signed by him in his own place among the Ministers, with the subscription of the Ministers of the Synod. They contean matters of some importance, and being agreed to by the Assembly, they deserve a room here, as the first formall act of a Synod under superintendants that I have met with, signed by all the members. In the seventh session the

bretheren appointed to decide questions and complaints (who wer in our old Assemblys like the Committy of Bills in our present Assemblys, with somwhat also of the power of that of the Overtures) reported the same answered, among which wer certain heads, articles, and conditions, presented by the superintendant of Lothian, and Ministers within his jurisdiction, penned and subscribed by them in their Synodall convention, holden at Edinburgh, the 6th day of October, 1572. The tennor wherof followeth :

“ 1. The bretheren of the said Convention craved that the copy of
 “ the Acts of the Generall Assembly be given to every exercise, to the
 “ end that every minister may have knowledge what order to observe in
 “ their proceedings ; for it is most certain, that throu ignorance of the
 “ forsaide Acts, many faults are committed, which otherwise would not
 “ have been done.

“ 2. Its craved by the forsaide bretheren, that such matters as fall
 “ out betwixt Synodall Conventions and Generall Assemblys, shall be
 “ headed and noted to every exercise, twenty dayes before the Generall
 “ Assembly, that the bretheren may be ripely advised with the samen,
 “ wher through many things may be ended, which through the lack of
 “ advisement suffer delay from Assembly to Assembly ; at which time
 “ its craved that the bretheren have their places in votting, and that no
 “ bretheren be defrauded therof : that the weighty matters of the Kirk
 “ be not concluded by a few, as oftentimes they are, without the know-
 “ ledge and consent of the bretheren.

“ 3. That such matters as are referred to the Generall Assembly
 “ from the particuler, be penned by the Superintendants clerk, and faith-
 “ fully reported to the Generall Assembly by the Superintendant.

“ 4. That the Generall Assembly be frequented by the Nobility and
 “ Barrons, as well as ministers, that the face of the Assembly may be had
 “ in reverence as in former times.

“ 5. Its required that the whole rents, as well victuall, as of money,
 “ within the collection of Lothian, be made known to all the bretheren
 “ of these bounds, what is received therof, and how its debursed and dis-
 “ poned, and for this purpose that the bretheren from all parts be chosen
 “ at the Synodall Convention to hear the Collectors counts, as well of

P. 12.

“ the rests of the former Collector, as also since his own entry ; also
 “ that the injunctions given to the Collector may be read every Synodall
 “ Convention, and tryall taken how they are obeyed, but specially con-
 “ cerning the assignation of victualls to ministers in the Kirks process,
 “ and that the Collector according to the liberty granted to every Synod-
 “ all Convention, may be alone discharged.

“ 6. That the Collectors officers charge for reparation of Kirks.

“ 7. That all ministers may have assignation of their stipends.

“ 8. That the extracts of the Superintendants office registrat in
 “ the Book of Discipline may be given to the minister of every province,
 “ to the end that the Superintendants may be tryed therby. That as they
 “ are found diligent, may be continued or changed.

“ 9. That the procurators of the Kirk may be examined, why they
 “ are so slack and negligent in the Kirks matters.

“ 10. That such ministers as have not wherewith to buy books, may
 “ have books leessed to them by the Collector, and to allow the prices
 “ therof in their stipend.”

The articles wer subscribed as followes :

“ William Harlaw,	Andrew Simson,	Mathew Liddell,
“ Mr. Adam Letham,	Mr. William Strang,	Thomas Leightoun,
“ Patrick Gillespy,	William Knox,	Mr. George Ramsay,
“ David Hume,	John Spotswood,	Michael Bunche,
“ Mr. Walter Balcanquell,	David Lindsay,	Andrew Simson,
“ William Lamb,	Adam Johnstoun,	John Clappertoun,
“ Mr. Thomas McGie,	Thomas Dail,	Mr. James Carmichael,
“ William Sanderson,	Richard Fleeming,	George Thomson.
“ The Assembly aproves and ratifies the forsaid articles as necessary and “ profitable.”		

Remarks on
them.

Since the Convention at Leith about a year ago, the ministers in
 the varieuse exercises (which wer on the matter presbitrys) and synods,
 began to fear ineroachments from the nominall Bishops, and even to pro-
 vide against any hazard this way from Superintendants, though I do not
 observe any attempts this way made by the Superintendants, and the de-
 signe of setting up Presbitrys, now that ministers wer turning more numer-
 ous, was beginning. This synod of Lothian, I belive, had most minis-

ters in it, lying about Edinburgh, and they are making steps this way. They require a copy of the Acts of Assembly to each exercise or meeting of ministers for preaching and discipline, the Assembly being the supreme Court, and their Acts their rules. They would be acquainted with all matters before they come to Assemblys, and have time to consider them, and require that no minister may be excluded the Assembly that can come, and insinuat as if Church matters wer hudled over somtimes by a few. This seems to point at the Convention at Leith; they require Superintendants to by [be] tryed by the Synod, and assert their power of removing the Superintendants if they have cause, and are carefull about a learned ministry. Mr. Calderwood, in his printed History, gives us a hint of those Artieles which I have given at lenth, and observes, “ That the “ meeting of the bretheren for the exercise of prophesying, had a dealing “ in the affaires of the Kirk, before presbitrys wer erected.”

In the Assembly, March, 1574, in the seventh Session the Superintendent of Angus, demitted his office in the hands of the Assembly, and “ In like manners Mr. John Spotswood, Superintendent of Lothian, “ demitted his office in the hands of the Assembly presently convened, “ desiring them presently to provide for another in his room, that the “ countryes wherof he had the oversight, be not destitute of a visiter; “ desiring the Assembly also to be mindfull of his pains and travails, “ taken by him these fourteen years bygane, in overseing and visiting of “ of the Kirks from Stirling to Berwick, and labour; in such sort as he “ may be paid of his appointed stipend yearly, not yet payed, either by “ payment of the same whole together, or at the least, that such a portion “ be payed yearly to him, aye and while his said stipend be fully payed. “ The Assembly promised to travell with my Lord Regents Grace, for “ the performing of so reasonable request.” Mr. John Winram demitted his office, purely and simpliciter, at the same time. These were all the Superintendants we had at this time; Mr. Willock was gone to England, Mr. Kerswall I do not find mentioned for some years, and probably he was dead. Mr. Calderwood from whom I take most of thir things about the Superintendants, many of them not being in my copy of the Records, does not mention any acceptance of this dimission. They still have the title of Superintendants while they live. Mr. Spotswood had too good a

P. 13.
He with the
rest of the Superintendants
dimit their office in the hands
of the Assembly,
March, 1574.

reason, since, by what is above, it appears he had received litle or none of his sallary appointed to him. Whither now ther was litle need of Superintendants, and they wer over burdened with the work, or the designe was now forming (and sooner it was not practicable) of erecting Presbitrys, which, for any thing I can see, the Superintendants went frankly into; whither, I say, these wer the reasons of their giving in their dimission joyntly at this Assembly, I know not. But from this it is plain enough they had no notion of any prelacy in their office; and that they considered it merely as a temporary office, intrusted to them by the Generall Assembly, to whom they wer alwise subject without reserve, and to whom they resign their office, as having received [it] from their hands. We will see that at this time the Assembly, to prevent ambition in ministers, annually altered their Commissioners and Visitors.

Procedure of
the Assembly,
July, 1574,
about him.

Next Assembly, July the same year, Mr. Calderwood observes, "That the superintendant of Lothian was not compleaned upon, howbeit he did not visit the whole Kirks, seing his visitation was free, and upon his own charges." One would guess from this that the Assembly did not accept of his dimission, and that he continued to visit some of the Kirks, thò not all. In the fourth session of that same Assembly, Mr. Calderwood gives us what the Assembly did as to a new supplication he gave in: "Anent the supplication given in by Mr. John Spotswood, Superintendent of Lothian, dimitting in the hands of the Assembly his office of superintendancy, as well by reason of his age, being now unable to undertake the unsupportable travails committed to him in his office, as be reason that since his acceptance therof by the space of two years, (perhaps the word *except* by the space of two years should be here, but I set it down as its in Calderwood,) he received no stipend; therfor desiring some able person, to take the said cure upon him, that the Kirk be not destitute in thir perrilous times. The Generall Assembly having considered the said supplication; seing the present necessity and state of the time in danger, and appearand perill effectually to succeed, in case the said dimission wer received, brotherly requested the said Superintendent in the name of God to continou in his office, until the next Assembly, using such diligence therin as he reasonably may, without hurt and damage to his person; and for assistance and aiding of him in his travails, the As-

“sembly hath appointed Mr. David Lindsay minister of Leith, or such two as he shall require within his bounds, who have promised to concur with him. And in the meantime the Assembly shall procure, at my Lord Regents Grace, provision to be made to him, and others of the like vocation and charge within the Kirk, for their stipend.”

P. 14.

At the next Assembly, March, 1575, Mr. Lawson, minister at Edinburgh, is appointed to joyn with him. “The bretheren having consideration that their brother Mr. John Spotswood, Superintendant in Lothian, is become sickly and not altogether able in his own person presently to visit the whole bounds alloted to him in commission, and understanding that their brother Mr. James Lawson is purposed to pass throu the country and visit the said bounds, have thought meet and ordeaned the said Mr. James to support and aid the said Mr. John, in his office of visitation, and to make such supply to him therin, as goodly he may till the next Assembly.”

Assembly,
March, 1575.

Next Assembly I find nothing about him; but at the following, March, 1576, “The Superintendant of Lothian was removed, and com-pleaned upon for rare visitations, notwithstanding he had an Act of Assembly for concurrence and assistance of such whom he would require; next that he had initiated the Bishop of Ross in the Abbey of Hallyroodhouse, being admonished of the bretheren not to do it. He answered that he had travailed in visitation till January, and since he hath been sick, and that he could not charge any of the bretheren because of the evil weather. To the second he grants his fault.” This Bishop of Ross was among the last of the Tulchan Bishops which the Earle of Mortoun put in, and the Superintendant was, it seems, put on by the Regent and courtiers to admitt him, and the Assembly, after they had declared against Bishops, could not but take the old mans easines amiss. However, he owns his failour in it: at this Assembly, that same Bishop is made Commissioner for Ross, and appointed with all the rest of the Bishops to betake himself to a particular charge, and severall persons are named by the Assembly to joyn with the Superintendants in visiting.

Assembly,
March, 1576.

For two or three years before and after this, I find Mr. Spotswood seldome engaged in the bussines of the Assembly. Their time was mostly spent on the Book of Discipline, and I do not observe him among the

Assemblys,
1578-80.

framers of it. However, he is continued still a visiter, joyntly with others, of Kirks. In the Assembly, March, 1578, he is appointed to visit between Stirling and the Watter of Leith. In the Assembly, October 20, 1580, he is accused, he had not resorted to the Assembly which mett last at Dundee; his answer was, he was under sicknes, and that he had not visited since the last Assembly; this he excused for shortnes of time, and that he had

⁴ See Note D. visited on his own charges now these nyne years.⁴

1583.

Presbitrys being now soon erected, I find no more notice taken of him till the year 1583, at the Assembly in October. Among the articles given in by the Synod of Lothian to the Assembly, this is one: "They crave that the Assembly take order with Mr. John Spotswood, for setting the tack of his benefice without the consent of the Assembly. The Assembly answered, that this particular ought to be tryed in his own Presbytry, and the tryall may be reported to the next Assembly." We had no more Generall Assemblys while he lived. The dark cloud came on when the Ministers most faithfull wer bannished, and Mr. Patrick Adamson managed all, as we will see in the following lives; I find not him mentioned in this dark period; he was now old and infirm.

P. 15.

His son pretends he changed his opinion as to discipline in the years, 1584 and 5. With remarks on this, Thope groundles, pretext.

His son the Bishop tells us, that "During the two last years of his life, and in his last dayes, when he saw the Ministers take such liberty as they did, and heard of the disorders raised in the Church, throu that confused parity which men laboured to introduce, as likewise the irritations the king received by a sect of foolish preachers; he lamented extremely the ease of the Church to those that came to visit him, who wer not a few, and that of the better sort, and continually fortold that the Ministers by their follies would bring religion in hazard, and, as he feared, provock the King to forsake the truth; and therfor wished some to be appointed over them to keep them in awe, for the Doctrinne, said he, which we profess is good, but the old policy was undoubtedly the better; God is my witnes;" and the Bishop appeals to many who heard him say so. Thus the Bishop makes his father a changling at his death, and to preferr the Popish disciplin to that which he had continued firm to, since the Reformation. He puts in his mouth the words of the last Popish Bishop of St. Andrews to Mr. Knox, as he himself relates them, and makes up a peice of satyre against the present Ministers, as to

their foolish sermons, and other things which will be fully confuted in the following lives, Mr. Andrew Melvils and others; and palmes it on his father. We could scarce expect but the Bishop would stretch himself to the outmost, to bring his parent, who was directly opposit to him in his whole practise through his life, to come as near him ere he dyed as might be. Indeed the Superintendant till the year 1584, practised that parity, which the Bishop falsely insinuats, was endeavoured to be introduced by the Ministers about this time; since it was palpably the constitution and practise of this Church all his fathers time. When this change came, if we shall take it on his sons word, he seems to have been much confined to his house, and it was in the unhappy years, 1584-5, when, it may be, things wer misrepresented to the old man, so that I cannot say the Bishop has laid the scene of this story very well.

Be that as it will, Ile agree with the Bishop in what followes of his father: "his happy life was crowned with a blessed death, which happened " the 5th of December, 1585, in the 76 year of his age," neither have we any ground to question what the Editor of the Bishops life sayes, that the Superintendant was married to Beatrix Creighton, a grave and discreet matron, dagh[ter] to the Laird of Lugtoun, an ancient Barron of Scotland. By her he had the Bishop, born in the 1565; in his youth, as we shall hear, pretty warm and zealous in the cause of the Ministers, with whom the King was much displeased; and so, thô he was about 20 years [old,] he has either not heard his father declare himself against them, or forgotten it for some time, when prospect of preferment, or a different light, made young Mr. Spotswood change hands.

Besides the Archbishop, the Superintendant, as Mr. Crauford in the Archbishop's life informs us, had two other children, Doctor James Spotswood, who being bred a scholar, and taken notice of for a youth of fine parts, came to be one of the King's Chaplains* before he left Scotland (I suppose Mr. Crawford means Minister to the King's house, for I find no mention of King's Chaplains in the modern sense in Scotland so early

His death,
Dec. 5, 1585.
His marriage
and posterity.

* This is very doubtful. James Spottiswood was Gentleman Usher to James VI., but does not seem to have entered into holy orders till after the King ascended the English throne. Briefe Memoriall of the Lyfe and Death of Doctor James Spottiswood. pp. 2, 4.

as this, but how this agrees with his taking orders afterwards, without the supposition of reordination, which was scarce insisted on so early, I cannot say.) He waited on his Majesty into England, at his first entrance into that realme, and taking orders in that Church, he was the same year, 1603, preferred to the Rectory of Wells in the Dioces of Norwich, and after that promoted to the Bishoprick of Clogher in Ireland, and was consecrat at Drogheda, 1621 ; wher he sat till he was frightened thence into England by the horride rebellion, 1641, wher he dyed, March, 1644, and was interred in Westminster Abbay near his brother the Archbishop. The Superintendant had likewise a daughter, who was married to Tennant of Lynehouse.

His character from his son.

P. 16.

The Superintendants character I shall give from his own son, who I hope has said nothing as to this, but the truth. “ That by the space of
 “ 20 years that he was Superintendant, he governed most wisely, his care
 “ in teaching, planting of Churches, reducing people and persons of all
 “ sorts into the right way (witnes his admonition above which the Bishop
 “ overlooks,) was great, and so succesfull that within the bounds of his
 “ charge, none was found refractory from the Religion professed. He
 “ was a man well esteemed for his piety and wisdom ; loving and beloved
 “ of all persons, charitable to the poor, and carefull above all things to
 “ give no man offence.”

Mr. J. Row, in his history, MS.

I shall conclude his character with Mr. John Rows words in his history, whose father, from whose papers he compiled his history, was his contemporary, and very much engaged with him in the affairs of the Church. In his MS. history when he gives some account of those who witnessed for the truth, against the hierarchy of prelacy, he sayes, “ I
 “ will more particularly speak of Mr. John Spotswood, father to the Bishop ;
 “ he would never have consented that his son should have embraced such
 “ an office and unlawfull calling, as is evident by his wise, grave, and holy
 “ answer to Mr. Knox, March 9, 1561, as is conteained in our publick
 “ directory, set down in print before our old Psalme Book, to direct
 “ Presbitrys how to cary at the admission of Ministers, I acknowledge
 “ myself &c.” as it stands before in his life.

COLLECTIONS

AS TO THE

LIFE OF MR. JOHN WILLOCK,

MINISTER SOMETIME AT EDINBURGH, AND SUPERINTENDANT
OF THE WEST.

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WHEN I am endeavouring to recover what can be got at the distance of near two hundred years, concerning the lives of such whom God honoured to be instruments of our Reformation from Popery, it wer a fault altogether to overlook Mr. Willock, Willocks, or Willox, for so I find his name variously written, tho indeed far less offers as to him than severall other worthys of this period; some hints concerning him the reader will find in Mr. Knoxes Life, and his frequent removes, and, as I take it, his spending the most of his advanced years in England, have deprived us of these nottices we might otherwise [have] had of his labours and usefulness. He was a person of very considerable learning, of great wisdom, prudence and gravity, and singular piety. Various and different wer the gifts and graces the Lord vouchafed upon his servants at this remarkable period, and a happy temperature and mixture appeared in the few hands Providence employed at the Reformation; the different dispensations of the same God, Lord and one Spirit, wrought beautifully together in variouse persons, for promoting the great work now on the wheel, and raising up a Church, and edifying the Saints. Mr. Knoxes holy zeal, and

Jan. 11, 1726.
Reasons of writing Mr. Willocks Life.

unparalleled boldnes, joyned with Mr. Willock's wisdom and prudence, not to go throw the characters of others now raised up, wer equally necessary, and singularly usefull at this juncture.

Who was a Franciscan Freir, at Air, and after he had received the knowledge of the Truth, fled to England, where he was ordeaned, and thence fled to Embden.

I want the materials necessary to give any regular exact account of this good man's life, and its but a few scattered nottices that I am now to give, of some passages concerning him, I meet with in our Historians, which will afford some view of him. Nothing offers as to his parentage, or education. It is probable he was born in the shire of Air, and Bishop Spotswood tells us he was a Franciscan Freir, in the town of Air; any thing of knowledge that was in these dark times, was among the Freirs, monks, and clergy, tho indeed the most part by far, deteaned the knowledge they had in unrightiousnes, and wer the very ofscourings of the earth, and overrun with all manner of wickednes; yet some of them for whom the Lord had service in view, wer pitched upon as the most proper instruments, when by his grace enlightened, to discover the corruptions of their societys, and the abominations of Popery. Of this number Mr. Willock was, and very early he came to discover the errors of Popery, we may suppose, by the fair confessions of the truth, and constant sufferings of the martyrs under bloody Cardinall Beatons managment; and in particular by the doctrine of that extraordinary man and martyr, Mr. George Wisheart, who was pretty much in Kyle and Airshire. The terrible severitys of the Popish party drove Mr. Willock, and many others who began to have their eyes opened, to England, and ther under the happy reigne of Edward the Sixt, he enjoyed shelter, and came more and more to grow in the knowledge of the truth as its in Jesus. I suppose that in England he was taken nottice of for his love to and knowledge of the truth, and, in the scarcity of teachers at that time, pitched on and ordeaned to the ministry.¹ When Queen Mary ascended the throne, and began to discover her truly Popish, that is, persecuting spirit, Mr. Willock, with many others, left England and fled to Embden in Freisland, a great sanctuary then, and since, to persecuted protestants.

P. 2.

¹ See Note A.

Comes from Embden to Scotland, 1554. [1555.]

Mr. Willock's genius led him to the study of medicine, and his learning enabled him to read what was then writt on that subject, as a by-work and change of studies. Now in his exile state, this was of use to him, and at Embden he professed physick, and lived by the practice of it. This

also brôt him into acquaintance with persons of distinction, particularly he was imployed by Ann, Countes of Freisland, then a widow. She sent him over to Scotland with a commission to the Quen Regent, in the year 1554 [1555.] He had a singular love to his native country, whence he had been driven for some years, but a greater to the interests of religion and the now dawning Reformation in it. These made him greedily embrace this opportunity of visiting his friends at home, and knowing how matters wer going in Scotland, when all was wrong as to religion in England.

His commission from the Countes gave him much more liberty than otherwise he could have had ; and he continued for some time at Edinburgh. The Queen Regent had lately got the goverment in her hands, and was intirely managed by the Guisians and Popish Clergy ; yet upon the violent storm in England, many came down to Scotland for a refuge, wher matters wer not carried so violently, because softnes was necessary to carry on the now favourit project of subjecting this kingdom to France, and making us a province to it, with the professors who came from England, and not a few who favoured Reformation in Scotland since Mr. Hamiltoun and Wisheart's martyrdome, and the permission of the reading the Scriptures in English by Act of Parliament ; Mr. Willocks kept company, and encouraged and comforted them, and with Mr. Harlaw somtimes preached to them in secret. Mr. Knox speaking of him this year, calls him that *nottable man*, and Mr. Calderwood in his MS. gives him the epithets of grave and learned.

Converses
with the Pro-
fessors at Edin-
burgh.

The return of his commission to the Countes of Freisland did not allow him to continow long in Scotland this year ; accordingly he went back to Embden and delivered the Queen Regents answer. Spotswood tells us he returned next year, 1555, with comendatory letters from the Countes to the Queen Regent, and made his stay in Edinburgh, wher, notwithstanding he was sick for severall moneths, he ceased not to instruct and exort such as came to him, who wer neither few nor of the meaner sort. Mr. Knox and Calderwood place this second return three year downward, and I am ready to think the Bishop has mistaken the date, because I find no mention of Mr. Willock, till after Mr. Walter Mill his death, and it is scarce to be supposed, had he continued in Scotland from the 1555 to the 1558, but we would have heard of him, and the Popish

Remark on
Bishop Spots-
wood.

P. 3.



clergy would have been at him. Besides, in thir matters of dates and facts, every one must own Mr. Knox who lived in the time, and wrot from the records that wer then keepled, and could have no byass in this case to alter dates, must be of greater authority then the Bishop, who wrot 50 or 60 years after.

Mr. Willock returns to Scotland, 1558, and joyns Mr. Harlaw, Douglas, and Methven, with the Lords of the Congregation.

We may then take it for granted that Mr. Willock returned from Embden the second time, in the spring or beginning of summer, 1558. I doubt not but besides his practise in medicine, he preached sometimes to ane English congregation of exiles who set up in that city; but such was his regard for his country, that as soon as any dore was opened, he came home, probably at the invitation of the congregation, lately tyed together in a solemn covenant to the Lord, and one another in him, as may be seen in Mr. Knox Life. Walter Mill's martyrdome in Aprile, had brôt the now declining interests of Popery lower than ever, and the Bishops and Popish clergy began generally to be abhorred by all sorts of persons. The few preachers, who, since Mr. Knox had been forced to fly back to Geneva, remained lurking in Scotland as they best might, came forth at the earnest desire of the nobility, barrons, and people, whose eyes the Lord had opened, and preached pretty openly, according to the resolutions taken by the congregation or church which are narrated in Mr. Knoxes Life. We have only three of their names preserved, though Mr. Calderwood observes ther wer severall others that preached in Angus and Merns, among whom, no doubt, John Eriskine of Dun was the cheife. William Harlaw, who had entered to orders in England, and was, after the Reformation, first Minister of Saint Cuthbert's, now the West Kirk, Edinburgh, he preached in Edinburgh. Mr. John Douglas alias Grant, who had been harboured by the noble family of Argyle, preached publickly at Leith, and Paul Meffen at Dundee. Mr. Knox observes it as a kind step of Providence, that at this time Mr. Willock came over from Embden. His return at this juncture was extremly encouraging to the professors, and their zeal and courage was animated; he was much superior in learning and abilitys to the other three, and the Lords of the congregation depended much upon his experience and wisdom.

Falls sick, and preaches in his house, and

To teach the Professors, an intire dependance upon Providence, and the difficult lesson of overlooking instruments, be they never so usefull, as

well as to ripen and widen his servant for further and greater services, it pleased the Lord, soon after Mr. Willocks return to Scotland to visit him with a heavy and dangerous sicknes, which for some moneths confyned him to his house and bed at Edinburgh, yet such was the greedy appetite now prevailing after the sincere milk of the word, and the unwearied diligence of Mr. Willock, that every day he taught and exhorted great multitudes of nobility, barrons, and others who came to hear him, in his room, yea from his bed, when he was not able to rise. These sermons of his did much good, and the meetings of the Lords and other professors this summer wer generally in his house, till he was able to go abroad again.

from his bed at
Edinburgh.

P. 4.

At these meetings it was seriously considered what was their present and proper duty. The corruptions of Popery now began to be seen by multitudes; the Lords and Barrons of the congregation wer determined to preserve and defend any thing of the Gospell, God in his good providence had sent to them, and not to joyn in the Idolatry of Popery. But then, they saw it lying on them, in their different stations and capacities, in a regular and orderly way, to do what in them lay, to put a stop to sin, and open idolatry, and, at least, humbly to crave a reformation of the open and plain corruptions then rampant, from those whose duty it was in the first room, to reform abuses that wer so plain and palpable. Mr. Willocks prudence, experience, and knowledge of what had been done, and was at present adoin in other nations, was of great use to them, at this extraordinary juncture; and it was unanimously agreed to attempt nothing, for a more publick reformation, till they humbly supplicat the Regent and Council: accordingly, the old Laird of Calder was pitched upon, and by him an application was made, thô, in a great measure, without effect, as hath been already observed upon Mr. Knoxes Life.

Consultation
of the Lords of
the Congrega-
tion and Mr.
Willock.

Instead of any just redress of their greivances, and equitable answers, they met with nothing but shifts and dissimulation. Their ministers wer cited to appear before the Bishops, and when the professors and congregation found it their duty to appear in defence of their preachers, and make a joynt confession of the truth with them, the Clergy, frightened with their numbers, deserted the diet, and the preachers wer summoned to appear before the Regent and Council. There seems to me some confusion in our printed historians, as to the particular dates of things this

Mr. Willock
and the rest of
the ministers
summoned a-
gainst July 19,
1558.

year, and so perhaps some of their summons may have been before their application to the Regent and Council. But that is a matter of no great consequence. Buchanan mentions only the citation of Paul Meffan, July 19, 1558, but I have little doubt, but Mr. Willock and the other ministers, as Knox and Calderwood observes, wer joyntly troubled by them.

The dyet
deserted by the
West Country
Gentlemen, par-
ticularly Gath-
girths bold in-
terposition with
the Regent.

It had stood hard with Mr. Willocks and his bretheren, who wer ready to have compeared according to their citation, had not the Gentlemen in the West, favours of the Reformation, come providentially to Edinburgh; when, unknowen to them, the rest of the professors, had been, by proclamation, ordered to leave the town, that so the ministers might be alone in their appearance. When the West Country Gentlemen found how matters wer like to go, resolutely in a body they went to the Regent, with whom the Bishopes hapened to be. What passed, the reader will find in all its circumstances in Knox History and Spotswood, who has some uses inuendos upon Gathgirths zealous and bold appearance in this choak. In short, the Gentlemen complained of the hardships in the proclamation, impetrat by the Bishops, especially as to themselves, who had been hazarding their lives in publick service; when the crafty Regent began to excuse herself, and smooth matters over with fair words, James Chalmers of Gathgirth, a plain zealous professor, cut her short, and said, "Madam we know its the malice and device of these jaivells, and of that bastard, meaning Hamiltoun, Archbishop of Saint Andrews, that standeth by you; but we vow to God we shall make a day of it. They oppress us and our tennants to feed their idle bellics, they trouble our preachers, and would murder them and us! Shall we suffer this any longer? No! Madam it shall not be!" and at this, put on his steel bonnet, in which all the company followed him. The Regent, cut out for such a choak as this, soon calmed the Gentlemen, and preserved the Bishops bacon, by professing she knew not of the proclamation discharging them to be in Edinburgh, requiring the Bishops to forbear meddling with them or their preachers, and promising to take up the contest her self, and that she would not suffer the Bishops to wrong them. The Gentlemen soon departed; and had it not been for this rudenes, as Spotswood calls it, very great confusions had ensued by the severity of the prelates, and probably much blood.

In short, till Mr. Knoxes arrivall, in May next year, 1559, Mr. Willock was the minister cheifly advised with, in this great change, and was by his wise conduct very helpfull to the Earle of Argyle and Lord James Stouart, who wer but very young at this time; and I shall not repet here, the cautious warry steps taken in the progress of our reformation from Popery. Notwithstanding the outcrys of prelatick writers of irregularity, mobs and rebellion, every body who sedately ponders the steps taken from the 1558 to the 1560, will find ground to observe a very peculiar conduct, and as much regularity and order as the circumstances and times could allow of; after Mr. Knox coming, indeed, the great burden of publick affairs lay upon him, but Mr. Willock continued extremly usefull, and ther was the greatest freindship and famili[ari]ty betwixt them.

Next year when the Reformation had made great progress, and the Lords of the Congregation had come to Edinburgh, and the Queen Regent retired to Dumbur, and Mr. Knox had been chosen minister of Edinburgh and preached ther sometime, a suddain turn of affairs fell in, as our printed historians have it at full leuth, and the Lords favouring the Reformation, wer oblidged by the treaty at the Links of Leith, July 24, 1559, to leave Edinburgh; they found it necessary to take Mr. Knox with them to Stirling, and Mr. Willock was by common consent left at Edinburgh, for the comfort and confirmation of the Church so lately erected ther. This was a post of honnour, but of great hazard and difficulty, wher he had a publick scene for exercising his prudence, zeal, and great abilitys, the Lord had blessed him with. The one half of the French souldiers now in the country wer lodged in Leith, and the other in the Cannongate, and the Queen Regent and her train remained in the Abbay. Tho such neighbours wer not very desirable, yet Mr. Willock, on the first proposall of his venturing to stay in Edinburgh and keeping posession of the great Church, lest for want of a minister, Idolatry should be reerected, went frankly into it; making it appear that generously and christianly he preferred the comfort of his Bretheren, and continonance of the Church there, to his own life, which he counted not dear to him if so he might finish his course with joy, and the ministry committed to him.

The great burden of affairs lay on Mr. Willock, till Mr. Knox arrived.

He is left at Edinburgh, July, 1559, when the Lords and Mr. Knox retired to Stirling.

P. 6.

Mr. Willock's circumstances, and his cautious boldnes in so difficult

Mr. Willock

preaches in the great Church at Edinburgh.

a juncture, ought to be noticed, and I give it from Mr. Calderwood's MS. Next day after the Lords of the Congregation, and all the Protestants with them, save the inhabitants of Edinburgh, who by the treaty wer allowed to stay and possess what they had, at the date of the treaty, [had departed from the town,] Mr. Willock preached to a very great auditory, in the great church, commonly called that of Saint Giels. In his sermon, he fervently exhorted the bretheren to stand fast in the truth they had professed and embraced, whatever hazard and loss they might therby be exposed to. The Duke of Chatlherault and others, who joyned with the Queen Regent against the Lords of the Congregation, wer his hearers that day, and for some dayes after. This open liberty of preaching, and the public resort of persons of the first rank to it, was very graveling to the Queen Regent and the popish Clergy; therfor all means wer taken to stop the Dukes going to hear Mr. Willock, and he was told he would be reputed one of the congregation, if he attended upon their Sermons.

He and the professors refuse the Queen Regents proposal to have the mass there.

Next the Queen Regent and her popish managers sent up three commissioners to the professors in the town of Edinburgh, requiring them to allow the mass to be set up again in St. Geils Kirk, promising that every body should be left at liberty to chuse which of the two Religions they pleased, alledging this was the meaning of that clause they pretended was in the treaty at Leith, that the town of Edinburgh should choice what Religion they pleased; this was a mere fetch, and the part of the pacification pointed at was plainly designed for the behove of the Reformation, and the churches already in the Protestants hands secured to them. The messengers wer the Duke, the Earle of Huntly, and Lord Seaton, Provost of Edinburgh. The first was not very violent, and the professors had good hopes of him, but the other two, especially Seaton, tho once a professour and a closs attender on Mr. Willock's sermons formerly, did their outmost to bring the bretheren to gratify the Queen Regent in this, but in vain. Mr. Willock and the professors in the town of Edinburgh, nobly stood their ground, and neither promises nor threatnings prevailed with them; they plainly told the Regent's messengers, that as it was matter of conscience to them, not to suffer Idolatry to be erected, wher Christ and his Gospell was truly preached; so neither could the Regent nor their

Lordships require any such thing without violating the publick faith, and breaking the principall article of the agreement at Leith, which was, that no member of the Congregation, should be molested in any thing, which at the day of appointment he peaceably possessed. But so it was, that the bretheren and professors in Edinburgh did peaceably possess the great Kirk at the date of the treaty; therfor, without open violation of faith, they could not be molested till a Parliament mett, who wer to determine all the present contraversys.

It was impossible to say any thing in answer to this, and so Huntly and their Provost urged vehemently, that they would so far condescend to the Queen Regent's earnest desires, as either to chuse another place in the Toun to have their worship and sermon in, or at lest be content that mass should be said in Saint Giles Kirk, either before or after their worship, as they pleased. Mr. Willock and the bretheren answered, that to give place to the Devil, who they reconed was the author of the idolatrous mess, they could not to pleasure any creature; that they wer in possession of that Church, which they could not render, and would not suffer Idolatry to be erected, unless by violence they wer constrained, and in that case they wer resolved to seek the next remedy. This bold standing their ground made the Lords desist, and beseech them to live quietly and peaceably, which they signified their outmost willingnes to do, since they had nothing in their view, but to serve God in the method he commanded, and keep their possession, allowed them by publick contract.

Mr. Willock after this was frequently disturbed by the Papists. The French Captains, with great numbers of their souldiers, used to come up to the Great Church when he was preaching, and to walk up and down behind the hearers, with such talking and noise as disturbed the minister and people very much. Frequently Mr. Willock spoke to them, and rebuked them, yea, prayed to the Lord to deliver them from these disturbers. But they still continued, and it was generally belived that they had orders from the Queen Regent to do so, in order [to] draw the professors of Edinburgh to debate with them, and upon the quarrell forcibly take the Church from them under pretext they had first broke the pacification. But the Lord enabled them to cary so, as no occasion was found against them, and they menteaned that Church in possession,

And her further desires.

P. 7.

Mr. Willock notwithstanding frequent disturbances continues and gives the Sacrament of the Supper publickly at Edinburgh, harvest, 1559.

notwithstanding all the boastings of the papists, till November when their bretheren returned, and laid aside the Regent from her administration, and their hazard was over ; and all the harvest they convened not only to sermon, administration of Baptisme, and daily supplications, but Mr. Willock publickly administrat the Lord's Supper to them at a table in the great church ; and literally their table was covered in the eyes of their enimies, and to the great comfort of many serious persons. This, as I take it, was the first time the Supper was publickly dispensed at Edinburgh, after the Reformation.

Mr. Willock
opinion as to
the deposition
of the Queen
Regent, Oct.,
1559.

Mean while the Queen Regent by the flaming advices of the Popish Clergy and Frenchmen about her went on to many illegall steps ; mo Frenchmen wer called in, and great numbers more wer writt for, and soon exported ; Leith was fortified, and the treaty in July evidently broke. The Lords of the Congregation, and by this time many others joyned when they saw the nations liberty overturned, and a conquest for France designed, came into Edinburgh, and after severall most humble petitions for the redress of these illegall steps, and no satisfactory answer received, the Nobility, Barrons, and Burgesses, in very great numbers met at Edinburgh, October 20, 1559, and the question was propounded, whether the Queen Regent, having refused contemptuously the advice of the born Counsellors of the realm, infringed the lawes, and gone about to make a conquest of the nation, ought to be suffered any longer to rule tyrannously over them. The two ministers opinion was asked as to the lawfulness or unlawfulness of doing so. Mr. Willock was called to deliver his judgment first, which he did thus : “ First, he affirmed, that albiet magistrates be “ Gods ordinance, having of him power and authority, yet is not their “ power so largely extended, but that it is bounded and limited by God “ in his Word. 2dly, That as subjects are commanded to obey their “ magistrates, so are the magistrates commanded to give some duty to “ their subjects ; so that God by his Word hath prescribed the office of “ the one as well as the other. 3dly, That albiet, God hath appointed “ magistrates his lieutenants on earth, and has honoured them with his “ own title, calling them gods ; yet he did never so establish any, but for “ a just cause they might have been deprived. 4thly, That in deposing “ of Princes, and those that have been in authority, God did not alwise

“ use his immediat power, but somtimes he used other means which his
 “ wisdom thought good, and his justice approved. Thus, by Asa he
 “ removed Maacha, his own mother, from honour and authority, which
 “ before she had used ; by Jehu he destroyed Joram and the whole pos-
 “ terity of Achab, and by diverse others he hath deposed from authority
 “ those, whom before he had established by his own Word. Hereupon,
 “ he concluded that sith the Queen Regent denyed her cheif duty to the
 “ subjects of this realme, which was, to minister justice to them indiffer-
 “ ently, to preserve their libertys from the invasion of strangers, and to
 “ suffer them to have God’s Word openly and freely preached among
 “ them : seeing, moreover, that the Queen Regent was an open and
 “ obstinat idolatres, a vehement mentainer of all superstition and idolatry,
 “ and utterly despised the counsell and requests of the Nobility, he could see
 “ no reason why they, the born counsellors, the Nobility and Barrons of
 “ the realme, might not justly deprive her of all reginent.” Upon Mr.
 Knoxes life, I have given account of his discourse after Mr. Willock, and
 made some remarks on Bishop Spotswoods reflexions upon both. But upon
 Mr. Willocks Life I could not ommitt what is above, as a plain testimony of
 the clear, connected, and solid chain of reasoning he was master of, and how
 cautiously and wisely he gives and supports his advice at this critical juncture.

After the Regents deposition, and the treaty of Berwick next year, when in consequence of it the Reformation was publickly approved by Parliament, and the few ministers came to appoint the different shares each of them should take in the Lords work, Mr. Willock was appointed to Glasgow, and, as he is ordnary afterward termed in the Assembly Registers, Superintendent of the West. The Superintendants very soon had particular charges assigned them, and I suppose Mr. Willock ordinarily preached at Air, and in Kyle and Carrick, wher ther wer many who had imbraced the Reformation. Glasgow was at this time much under the managment of [the] family of Lennox who favoured Popery for sometime, and I suppose, ther was little acces at the beginning, for Mr. Willocks labours there, but he was extremly usefull in the bounds he had the oversight of, which, as bath been hinted, was probably the place of his nativity.

1560, Mr.
 Willock is ap-
 pointed Super-
 intendant of the
 West.

By a letter from Mr. Randolf to Secretary Cecil, Cotton Library,

P. 9.
 Mr. Willock

admitted Superintendent of Glasgow, Sept. 14, 1561. Caligula B. 10, of which I have a copy, dated September 24, 1561, I find Mr. Willock was admitted Superintendent of the West, at Glasgow

I suppose, with much solemnity; its probable admission would be performed by Mr. Knox, and so much Mr. Randolphs words seem to import. They run, "On the 14 instant (September), Mr. Willock was admitted Superintendent of Glasgow; the Duke, my Lord of Arran, the Earle of Glencairn, my Lord Boyd, Lord Ruthven and Lord Ochiltrea, present; litle, I assure you, to the contentation of such as thot either him or Mr. Knox in Scotland."²

² See Note B.

Publick dispute, 1561, between him and a Dom[ini]can, for two days.

Sir James Balfour, in his MS. Annalls, observes, "This year, 1561, ther was a publick dispute betwixt John Willock, Preacher of the Gospel, and on Black, a Dominican, wherin, for two dayes, Willock defended the Protestant tenets [as] according to the Word of God." This publick dispute was perhaps before Queen Mary returned to Scotland, at least as Sir James narrates it. I have met with no more about it elsewhere, save a hint in Lesley, lib. 10, who says this dispute was at Edinburgh, and ther was no yeilding on either side, and the people wer unhinged in their religion [in] which they saw learned men differ.³

³ See Note C.

His share in the Confession of Faith and First Book of Discipline, 1560.

His knowen learning and abilitys brôt him to be employed in the publick deeds of the Church, as soon as it was established by Parliamentary authority, and so he joynd with Mr. Knox and the others mentioned in his Life, both in forming our First Confession of Faith, approved by the Parliament, 1560, and afterwards, that same year, in drawing up the First Book of Discipline, afterwards ratified in Councill, and approved by our Assemblys, and though Mr. Knox had the cheif share in these, yet the other worthy persons joynd with him ought not to want their room in our remembrance for these important works.

1563, Mr. Willock preaches at the opening of the Assembly.

By the Registers of the Assembly, December, 1563, I find the exhortation was made by Mr. Willock, Superintendent to the West; this would look as if he had been Moderator of the former, but at this time I doe not find that they had a formall Moderator. "In the first Session, the Superintendent of the West being removed, it was compleaned that he did not his endeavour to procure the extirpation of idolatry in his bounds. He laid the blame on the Duke and the Earle of Cassils, and desired to be disburdened of the great charge laid on him, which he had under-

His tryall by that Assembly,

“taken only for a time, and requested the Assembly to lay no greater burden than he was able to bear.” In this Assembly, as Mr. Calderwood cites it from the Registers, Session 1, “For avoyding confusion, it was agreed, that a moderator should be appointed to moderat during the time of every Assembly, and Mr. Willock, Superintendant of the West, was appointed Moderator during this Assembly.” So that he seems to have been the first Moderator of an Assembly in Scotland,* and at the next Assembly, I find he is continued to be Moderator; in the second Session of which the Earle of Glencairn and he are enquired, what they had done in visiting the Hospitall at Glasgow, Mr. Willock answered, he had done nothing for lack of conference with the Earle, but promised to visit [it] against the next Assembly, providing the Lords of Council gave letters, according to the ordinance of the Assembly.

And chosen Moderator.

And of the next Assembly, 1564.

I find Mr. Willock chosen frequently Moderator to our first Generall Assemblys. It was a year or two befor our Generall Assembly came

Moderator of the Generall Assembly, 1564, 1565.

* I cannot but here take notice of an ignorant blunder committed by Mr. Collier, as to Mr. Willock. In his History, vol. ii. p. 517, he seems to have designed it as a wound to our first Assemblys, by a commendation of Mr. Willock. His words are: “In July, this year, 1568, a Generall Assembly of the Church was held at Edinburgh. Mr. John Willock, Superintendant of the west was elected Moderator, he refused to manage that bussines, unless upon the promise of better order then had been formerly kepted, for the great numbers and indiscreet behaviour of some people, made the meeting very noisy and ill governed. But upon an engagment of more temper and submission he undertook the function.” I find Mr. Collier borrowes this in part from Bishop Spotswood, as indeed all the English Historians generally do, and agravates the charge of confusion. I am ready to think that Spotswood’s insinuation of confusion in the preceeding Assemblys proceeds from his jumbling what he had read in our Assembly Registers, 1563, which I have just now cited, when they first agreed to choice a Moderator, *for avoyding confusion it was agreed, &c.*, and this is the current stile in the Records for a good many years. This the Bishop and his copier jumble with the Assembly five years afterward, and coin this story of Mr. Willock’s difficultys to accept of that function. Till matters were setled during the first two years after the Queen’s return, the ministers wer exceeding few, and our Generall Assemblys wer not come to that bearing that they soon came to. But after the 1563 down to the 1568, its plain by their Records that every thing was regular and orderly, and, indeed, at bottome, this phrase for *eschewing confusion* bears no more than in order to the more regular proceeding, and does not at all import without a vile stretch the indiscretions and confusions the Bishop and Mr. Colier suppose.—[WODROW.]

under rules, and, I suppose, the eldest minister was generally spoke to ; after the constitution of a Moderator, and Mr. Knox had moderated at some, Mr. Willock is chosen Moderator, June, 1564, and in the tenth General Assembly, June, 1565, he was again chosen Moderator.

Mr. Knox's letter, by order of the Assembly to him, 1567.

In the year 1567, the Assembly order Mr. Knox to write a letter to Mr. Willock, earnestly inviting him to return from England, wher he was at that time. What was the occasion of his going thither, I cannot say. I do not find he was there since he left England upon Queen Maryes accession ; and till the Earle of Murray's accession to the Regency this year, ther was no provision made almost for Ministers and Superintendents ; many wer forced to leave their flocks for want of subsistence. But whither this was his case, or rather that he retired after the Queen's marriage, and upon the prevalency of Papists about her, a litle before her resignation, when a black storm was feared by many, I do not determine. But Mr. Knox writes a most warm and affectionat letter to him, and urges him to return especially from the extraordinary affection of his flock in his absence, and desirable state of affairs under the Earle of Murray's Regency. This letter I have insert upon Mr. Knox's Life.

Moderator of the Assembly, 1568.

By this warm letter he was prevailed with to return to Scotland, and I find him Moderator of the next Generall Assembly, July, 1568, wher many excellent acts and regulations wer made, the ministry being much encouraged by the good Regent.

No more accounts of him in the Registers.

After this year I do not find him mentioned by our Historians, nor in the Registers of the Generall Assembly. At the next Generall Assembly which was to have convnced at the ordinary time in December, few ministers came up, because of a violent storm and some rumors of the pestilence ; only Mr. Calderwood nottices Mr. Andrew Hay was ordered to plant some Churches in the west, wher the Earle of Glencairn was concerned, which made me conclude Mr. Willock was dead, and in the end of the year 1568, Mr. Andrew Hay is termed Commissioner of the West.

He seems to have returned to England, at least one of his name is there, 1603.

But I begin, upon perusing of Calderwood's MS. History, to conjecture rather that Mr. Willock returned to England after the Assembly, wher he moderat ; being engaged when last there to some flock, which would not part with him. One proof of this is, that Mr. Calderwood, on the death of the Regent, takes notice that Mr. Willock in his letters

from England, made a heavy regrave for the removall of the good Regent. Another reason of this conjecture which I propose only as such, is, that I find in Mr. Calderwood, upon the year 1603, one of his name with whom King James had correspondence before Queen Elizabeth's death. It may be an English minister, for in the margine, he is named Wilcocks, but in the body of Calderwood, Mr. Willocks. However, the passage is curious, and worthy of a room here, tho I should be out in my guess that Mr. Willock lived till this time, when, indeed, he must have been very aged. P. 10.

Mr. Calderwood, when going to give account of King James his journey to London, observes, that "at this time ther was a great longing in England for his coming. The Formalists, the Papists, and the sincere professors had all their own hopes. The Papists, the year before, had obtained of Pope Clement, two Bulls sent to Henry Garnet, Superior of the Jesuits in England, the one to the clergy the other to the laitie; the effect wherof was, that who ever, upon the death of Queen Elizabeth, should acclaim the crown of England, tho never so directly and nearly interested by descent, should not be admitted to the throne, unless he would first tollerat the Romish religion, and by all his best endeavours promote the Catholick cause, unto which, by a sacred and solem oath, he should religiously subscribe after her death. Yet the Papists expected great favour of the King, and wer induced to hope well by some information from the Court of Rome, of which we will have occasion afterward to treat, when we come to the Lord Balmerino's trouble.

Mr. Calderwood's account of the expectations of Papists, Formalists, and sincere Professors on King James' accession, 1603.

"The Formalists might gather matter of hope out of Basilicon Doron, and the King's proceedings at home in Scotland, yet it is reported that the Bishops in England wer in such a fear of the ruin of their estate, that they would have been content of an hundred pound sterling a-year, but that is not likly.

"The sincerest sort of professors, who wer the strongest party in the country, looked for reformation of all the abuses and corruptions of that Church. The King entertained intelligence with some of them, as may appear by his letter following written to Mr. Willocks, who, with the assistance of an English knight, obtained subscriptions, through

“ five shires, for assistance to the King, before the death of Queen Elizabeth.

King James’
letter to Mr.
Willock.

P. 11.

“ ‘ Although I never doubted, and have been sufficiently informed
“ ‘ of the good will born towards me, in all lawfull sort (for otherwise
“ ‘ I did not, nor shall not require them) by all the honest subjects of
“ ‘ England, that sincerely profess the only true religion professed,
“ ‘ and by lawes established in both countries ; and the bond of con-
“ ‘ science being the only bond for tying of men’s affections to them
“ ‘ to whom they owe a naturall duty ; yet having the samine received
“ ‘ and confirmed to me, by your late advertishments, I have thought
“ ‘ good by these presents, (all written with mine own hand) to set you
“ ‘ down a meeting for them in this point,—that you shall in my
“ ‘ name assure all the honest men you can meet, that are affected that
“ ‘ way, and that on the princely word of a Christian King, in that
“ ‘ as I have ever without swerving, professed and menteaned the same
“ ‘ religion within the bounds of my Kingdome, so may they assure
“ ‘ themselves, that how soon ever it shall please God lawfully to pos-
“ ‘ sess me with the crown of that Kingdom, wherein they are subjects,
“ ‘ I shall not only mentean and continou the profession of the Gos-
“ ‘ pell there, but with all not suffer or permitt any other religion to
“ ‘ be professed, and avowed within the bounds of that Kingdom.
“ ‘ But because you have been at your last being here, particularly
“ ‘ acquainted with my intention in this point, as also that your self is
“ ‘ so well approved and knowen by them, therfor ye shall by tongue
“ ‘ more perfectly inform them of my mind therein, resolving them of
“ ‘ such malicious and unjust imputations, as have been, from time
“ ‘ to time by my undeserved enimies, continoued against me, and
“ ‘ thus I bid you Farewell. JACOBUS REX.’ ”

Remarks on
it.

One would be ready to guess from the person the King writes to, his being lately in Scotland, that it was Mr. Willock, it not being so probable any of the non-conformist ministers would come down here, and Mr. Calderwood seems to distinguish him from the English Knight as being a Scotsman. But be this as it will, its plain he was a minister who

was presbyterian in his judgment, and him the King assures, in the strongest manner, that he would, upon his accession to England, establish the religion professed in Scotland in England, and tollerat no other; how he kept these assurances needs not be told.

When I have fallen in to this subject, let me only add the words of Mr. John Row in his MS. history, as to the expectations people had upon King James journey to England, because they contean some facts I have not elswher met with; one of my designes in this work being to preserve these, and bring all the light I can to our History. Mr. Row observes, that "It had been an easy thing, by the blessing of God, to King James, "if he had pleased, to have brought the prelaticall goverment of the "Kirk of England to ours, by sessions, presbitrys, synods, and Generall "Assemblys, considering that all the well affected of England both "looked and longed for it; as also Dr. Bancroft, then Bishop of London, "who had writ a book against our King, pressing to prove that he had "no right to the croun of England, doubtles for his part would have "been content to have altered the goverment prelaticall to presbiteriall, "wherin he knew the King was brought up and well instructed, if the "King would have pardoned him the Treason and spared his life; as "also the King knew that Mr. John Davidson, who was an eager opposit "to prelacy, had writ an answer to that book, establishing the King's "right and title to the croun of England: yet the King both spared "Bancroft's life and also stood for the menteanance of prelaticall goverment, and all the rabble of popish rites and ceremonies depending thereupon: pressing continoually to bring this Kirk back to them, as a "prelude wherof the Bishop's vote in Parliament was so eagerly gone about by the King; but never endeavouring to bring them in England forward unto us, and to a further reformation, wherto he was counseled "by some of the good nobility of England because they heard the King "confess, that in all Scotland ther durst not be one professed and avowed "Papist, by reason the discipline of the Kirk took such exact and precise "order with them." Mr. Row goes on to shew, how heavy the King's continouing prelacy in England was to the sincere ministers and professors there, and hints at severall anonymous pamphlets published on the King's accession against the hierarchy and ceremonies, which being

Mr. Row's
observations on
peoples expectations
of King
James his abol-
ishing prelacy.

neglected as obscure and nameless writers, he adds that a Gentleman, Thomas Whittinghall, Esq., published a treatise with his name affixed to it, which he himself put in the King's hands, and wherein he proves the unlawfulness of the Hierarchy of Bishops in England. The King gave it to the Archbishop of Canterbury, and the Gentleman who had suffered great hardships in Queen Mary's time for the truth, was imprisoned, and detained there till he fell into a severe sickness, of which he died, in a little after his enlargement.

This is all I have met with as to Mr. Willock.

JANUARY 12, 1726.

COLLECTIONS

UPON THE

LIFE OF MR. JOHN WINRAM,

SUBDEAN OF SAINT-ANDREWS, SUPERINTENDANT OF FIFE, AND
PRIOR OF PORTMOAK.

COLLECTIONS

UPON THE

LIFE OF MR. JOHN WINRAM,

SUBDEAN OF SAINT ANDREWS,* SUPERINTENDANT OF FIFE, AND PRIOR OF
PORTMOAK.

In this Biography, I am not willing to pass any of those who wer usefull in our first Reformation, thô in severall of them it is but very litle I meet with : yet the laying together the few scattered hints I meet with in Knox, Calderwood, and the Records of our Generall Assemblys, will help us to frame some kind of idea of them. Mr. Winram in particular will appear to have had an early knowledge of the truth, thô, till the Reformation came to a bearing, he seems to have continued in the Romish communion. Even from his and some other of our Reformers being in Popish orders and continouing in them till the full light of the Reformation broke out, and then joyning in that great work, from inward conviction of mind, some advantages arise to us in our debates with the papists about our ordinations. However, even without this *argumentum ad hominem*, we could easily enough defend the validity of our ordinations, and the regularity, too, of our first ministers entering upon the work of the Gospel.

November
10, 1729.
Reasons of
writing this
Life.

* There was no such title as Subdean of St. Andrews. The Prior and Canons of the Augustinian Monastery supplied the place of Dean and Chapter of the Metropolitan Church.

Born about
the 1500.

Nothing of Mr. Winram's birth and parentage offers; its an old and common name in Scotland, and there is no doubt but he was one of ours. He seems to have been born about the beginning of the 16th century, and his progress in learning¹ may be gathered from his early acquaintance with the truth, and his being advanced to be Subdean of Saint Andrew's, and employed upon severall important occasions, even before the Reformation, and his being fixed Superintendant of Fife, in the beginning of it.

¹ See Note A.

He is Sub-
dean of Saint
Andrew's, and
favours the
Truth about
1528.

The first time I find him taken notice of, is when Mr. Patrick Hamilton came to Scotland, and indeed he seems to have been, tho' he had but a very short race to run, an instrument for the inlightning of many who had not the advantage of forraigne education. About the year 1528, Mr. Knox speaks of Mr. Winram as Subdean of Saint Andrewes, and as one who, with Mr. Gavin Logie, was usefull to discover to the youth there the vanity of the received superstition of the Church of Rome, and John Major, at that time professor of Theology and in great reputation, as we have heard, was a lover of the Truth. But notwithstanding of some glimmerings of light, Mr. Winram continued with the Romish Clergy for 30 years. Ther have been, and are, some of God's children and hidden ones in Babylon, who are to be called out of it, and no doubt Mr. Winram was usefull even in this period.

His Sermon
before Mr.
George Wis-
heart's Tryall,
1547.

Upon Mr. George Wisheart's Life, I have noticed that Mr. Winram was pitched upon by the Cardinall, to open their meeting for Mr. Wisheart's Tryall with a sermon; upon this occasion Mr. Knox calls him Subprior of the Abbay, Dean John Winram. This was a difficult time for a person to preach, and I belive what was uneasy to Mr. Winram. I have already given what Mr. Knox has preserved of this sermon and shall not repet it here. He taught in the parable of the Seed, Matth. 13. He defyned Heresy, a false opinion pertinaciously defended, clearly opugning the word of God; he gave the ignorance of the Clergy as one great cause of Heresy, which probably was very savoury to severall of his hearers, and laid down the Holy Scriptures, the sincere and undefiled word of God, as the only and undoubted foundation of trying Heresy, without any superadded traditions, and had that Touchstone, as he calls it, been used, Mr. Wisheart had been safe. He concluded that Hereticks should be put down in this present life, which Mr. Knox

P. 2.

observes did not agree with his text, *Let it grow to the Harvest*, which harvest is the end of the worlde. Undoubtedly it was the common doctrine of the Papists, that obstinate Hereticks wer to be put to death, and many who separated from Popery went into that opinion which is certainly ill-founded, if no more wer to build upon but the parable of the Seed, in its defence.²

² See Note B.

We shall hear upon Mr. Knox his Life that the Subprior of Saint Andrews was next year, 1547, together with freir Arbuckle, engaged in a publick dispute with Mr. Knox which I shall insert there at full lenth. Upon the Cardinals murder his successor, *sede vacante*, viccar General Mr. John Hamilton wrote to Mr. Winram, that he wondered how he as Subprior suffered such hereticall doctrine as he heard Mr. Rough and Knox preached at Saint Andrews. Upon this, rather than any inclination of his own, Mr. Winram called a convention of Black and Gray freirs, and articles of hereticall doctrine, as Heresy now went, wer read to them, which stand in Mr. Knox Life. Mr. Winram told them the strangeness of these articles gathered out of their doctrine had moved the meeting to call for them, that they might give their own answer. Mr. Knox praised God the meeting was so honourable, modest, and quiet; and added, that it was long since he heard that Mr. Windram was not ignorant of the Truth, and appealed to his conscience before the Supreme Judge, whether any of the Articles now read were contrary to God's word, and if he did, that he should plainly oppugne to it. But if in his conscience he knew the doctrine to be true, he craved his patrociny, and that by his authority the people might be moved to belive the Truth, whereof many doubted because of his silence. The Subprior answered, I came not here as a judge, but familiarly to talk, and therfor I will neither allow nor disallow, but, if ye list, I will reason; and so entered upon the Churches power to devise ceremonies to decore the Sacraments. After Mr. Knox had straitned him, he waved the reasoning, and put it over upon Freir Arbuckle; what passed will be found in Knoxes Life.

His conference with Mr. Knox at Saint Andrews, 1547.

Mr. Winram, for any thing I can see, remained Subprior [of] Saint Andrews till the Reformation. Lord James Steuart, afterwards the good Regent, was made prior there, and his favouring Truth and joyning among the first of our nobility in the Reformation, was of great use to that

He continued Subprior till the Reformation, in which he joyned and was named

Superintendent
of Fife, July,
1560.

P. 3.

Society at Saint Andrews, and such as had any knowledge of the Truth gathered more and grew in it; and when the dore was opened, as we will see on Mr. Knox life, for ane open joyning in Reformation, Mr. Winram and many others joyned heartily. In July, 1560, when the nation was delivered by the assistance of the English, from the tyranny of the French and fear of Papists, and a Parliament was indyted, Superintendants wer named. There was a meeting among the cheif who favoured the Reformation; by them Mr. Winram was named Superintendent of Fife, and the few ministers who formerly had keepest together mostly at Edinburgh, wer, with common consent, planted at the most considerable burghs, and the Superintendants work was, in this scarcity, to visit and plant countrys, for whom ministers wer not as yet to be had. At the first Generall Assembly, November, [December] 1560, by the Records I find their great work was to find persons fitt for the office of the ministry, and accordingly they gave their opinion that, among others, John Winram of Kirknes was fitt to preach the Word and minister the Sacraments; and in the list John Erskin of Dun is named. I know nothing to hinder me to think that this John Winram here stiled by his estate, which it seems he had acquired, was the same with the Subprior, and if this remark hold, it seems the Superintendants themselves wer regularly admitted to dispense Word and Sacrament by the Assembly.³

He's one of
the framers of
First Book of
Discipline.

At this time, Mr. Winram was certainly a man of very considerable note, and appointed after the Parliament was up to joyn with Mr. Knox and others, whom we shall meet with in Mr. Knoxes life, to form for the Church a good and godly policy, which was altogether defaced by the papists, and accordingly he was one of those who drew up the First Book of Discipline, and at this time he is still described John Winram, Subprior of Saint Andrews.

As soon as our Generall Assemblys came to any bearing,—in the fourth Assembly, 1562, they resolved to begin their meetings in time to come, with an exact Tryall, or what we now call Privy censures in Presbytrys [and] in Synods, none of which were yet constitute for want of sufficient numbers of ministers; accordingly allwise afterwards, till the Church was generally planted, the Generall Assemblys in their first Session began with the tryall of Superintendants, and after them Commissioners, Visitors

and Tulchan Bishops; and indeed, as I may notice afterwards, our Generall Assembly was properly the Radicall Judicatory of this Church. Its from the hints remaining in the Assembly Registers as to these tryalls that I am to give much of what follows as to Mr. Winram. In the fifth Generall Assembly, December 25, 1562, Mr. Winram was removed, and the ministers and Commissioners of Fife present for the time wer required if they or any of them had any thing to lay to his charge touching his manners, conversation, doctrine, and execution of his office. It was murmured by some of the ministers that he was somewhat slack in his visitations; and remained not at the Kirks for ordering such things as wer necessary for the same; that he was thought too much given to wordly affaires, slack in preaching, rash in excommunication, sharper than became him in making acts for payment of small tythes. His answers are not recorded to these in the Assembly Books; whither they wer passed at the first publick tryall without any further notice, in hopes that they would be amended, or whither he received an admonition and promised amendment, thò this is not recorded, I cannot tell. I must set down things as I find them.

In the two next Assemblys which met, March and December, 1563, ther seems to have [been] dislike at Mr. Winram's carriage, for at the 6th, the Commissioners from Fife desired their Superintendant's tryall might be deferred till next day, but I find no more that Assembly. At their next meeting in December, they crave a dyet may be appointed for bringing in a complaint against the Superintendant, which is allowed. But neither at this Assembly find I any more about him. They seem to have been displeased with some of his conduct, probably the former particulars not being amended.⁴

Before the Assembly, March and Dec., 1572.
[1563.]
P. 4.

In the ninth Assembly, December, 1564, Mr. Winram was challanged for slacknes in visitation of his Kirks. He alledged age and ill payment of his stipend, and a great number of Kirks within his bounds, as excuses; howbeit otherwise he was diligent, these things being considered. Indeed both Superintendants and ministers had great difficulty to get the small pittance promised them by the Queen and Councill payed, during this reigne. Next Assembly, 1565, in June, I find Mr. Winram compleaning of St. Salvator's Colledge to the Assembly, that the Kirk of Kilmanie,

⁴ See Note D.

At Assembly, Dec., 1564, and June, 1565.

pertheaning to them as one of their common Kirks, wanted provision for a preacher. Mr. John Rutherford and Mr. William Ramsay, appearing for the Colledge, offered to submitt that affair to the Superintendants of Angus and Fife, Mr. Goodman, minister at Saint Andrews, and Mr. George Buchanan. To them the Assembly remitted it. Mr. Winram further compleaned upon William Eviot, reader at Monyward, for removing to Stratherdail without his licence or the parishoners consent. The Assembly ordeaned the Act of Assembly, 1564, to take place, which, I think, ordered suspension, and upon a complaint of the parishoners of Kilcomich (?), that the Communion had not been given by their minister these six years, the Assembly appoint Mr. Winram and Goodman to see it given there betwixt and Candmass next to come.

At Assembly,
Dec., 1565, and
1567, and July,
1568,

At the Assembly, December, 1565, Mr. Winram was again blamed for slacknes in visitation. He excused himself from the absence of the people following the Queen according to her proclamation. This excuse I find given at this time by other Superintendants. I meet no more with him till Assembly, December, 1567, when he was compleaned upon for not visiting of Kirks within his charge, and not taking up of crimes and offences to be punished. It would seem ther was somewhat too well grounded in these complaints, for the Assembly in their next session appoint Mr. John Craige, Mr. David Lindsay, Mr. George Buchanan, Principall of St. Leonard's Colledge, and Mr. George Hay, or any two of them, to direct their edicts to all ministers, elders, and deacons of Kirks under the Superintendant of Fife his charge, to compear at Coupar the 22 day of January, with their complaints against the said Superintendant, and to try and report to the next Assembly. In the next Assembly, July, 1568, their report comes in, and is given to others to revise. The words of the Registers will be all the account I can give. "In the first Session, the Commissioners deputed by the last Assembly, to take tryall of the complaints given in, or to be given in against the Superintendant of Fife, produced the execution of their commission, subscribed by Mr. David Spence their scribe for the time; others wer appointed to revise their proceedings, and report. He was accused of negligence in his visitations; that he was careles in punishing adulterers, that he reteaned one Flecher, a reader in the Kirk of Leuchars, whom Mr. Knox had found unable. To this last he

“ answered, that he knew not that Mr. Knox had pronounced any such sentence against him. It was alledged by the Laird of Tarbet, that when he was visiting the Kirk of Reunie, (?) Mr. William Blaikwood desired him to declare of his conscience, whither the Mass was idolatry, when he alledged that Tythes should be paid to none but such as had recanted the Mass. The said Superintendant, in the audience of the whole people, bade the said Mr. William take it on his conscience. His answer was, ‘ It is long since I thot the Mass was idolatry, but you must condemn it in your own conscience.’ ” This is all I meet with as to this complaint. The cheif thing I notice in it is, that two Ministers are appointed by the Assembly to try complaints against a Superintendant. I fear ther has been too great slacknes in Mr. Winram, and suspicions, it would appear, of his not being so firmly convinced of the idolatry of the Mass as wer to be wished, and after all this pains about him, I find in the Assembly, July, 1569, new complaints are tabled against him for slacknes in visitation, and reparation of the fabrick of Kirks, and in the Assembly, July, 1570, he is again delated for negligence in reparation of Kirks. His excuse at this time was, that he could not find an officer at armes to put in execution letters against parishoners, wher the said Kirks wer ruinous; upon which the Assembly appointed the Superintendants and Commissioners for planting of Kirks, to charge the collectors and officers within their bounds respectively to execute Letters for reparation of Kirks decayed, as they shall be ordered, and that they shall be satisfied at the sight of the Assembly, conform to their diligence and pains.

I find Mr. Winram is severall times employed in making up differences, and reconciling persons and places. There hapned a threatning breach between the touns of Dundee and Monross, and the Assembly appoint Mr. Winram and another to deal betwixt them, and take away the difference. In the year 1571, after the Castle of Edinburgh had long stood out against the King’s authority and his Regent’s, the Commissioners of the Kirk met at Leith in May, while the Regent was holding a Parliament in the Cannongate, and they resolved to use their endeavours to bring things to an agreement between the two contending partyes. Accordingly Mr. Windram and Mr. John Craige went up to [the] Castle of Edinburgh, and had a conference with Sir James Balfour, Grange the Captain of the

Mr. Winram usefull in making up of breaches. His conference with those in the Castle of Edinburgh, May, 1571.

Castle, the Duke of Chattherault, and the Secretary Lethingtoun. Mr. Winram opened the conversation to this purpose. "My Lords, the Commissioners of the Kirk are convened presently at Leith, and perceiving the intestine troubles in this Commonwealth, they thôt it became them of their duty to offer their labours to the end, that, if it should please God, the same might be quenched, and we are come to offer our selves for that effect; our commission extendeth this far, that seeing your Lordships are willing that we should travail, as you have declared by your writing to our brother here present, Mr. John Craige, let us know of your Lordships what heads and articles ye will offer to us, as a ground wherupon we may travail." The Secretary answered him, that they expected proposalls from the Lords in the Cannongate, they being who wer in the Castle, as he said, the principall of the nobility. Mr. Craige being the principall reasoner in this conference, I shall bring in the whole conference upon his Life, and only here observe, that ther was no real designe in those who keept out the Castle to come to an agreement, and so nothing was done.

He inhibits
Mr John Doug-
las to vote in
Parliament,
Agust, 1571.

In Agust this same year, the Regent held a Parliament at Stirling, wher the King was brought in in person, thô but a child, and had the known expression, *I think there is a hole in this Parliament*. Thô the Earle of Lennox was Regent, it was the Earle of Mortoun who managed all, and, after he had forfaulted the Lords and Gentlmen who keept out the Castle, he began to bring in the Tulchan Bishops, of whom more in the following Lives, and pitched upon old Mr. Douglas to vote in Parliament as Bishop of Saint Andrews. This innovation was resisted by the ministers, and Mr. Winram, as Superintendant of Fife, was desired by the ministers, and accordingly did solemnly inhibite Mr. John Douglas to sit and vote in Parliament, in name of the Kirk, till he [should be] admitted by the Kirk, as we shall hear upon his Life, when I come to it.

P. 6.

His share in
the conference
at Leith, when
Tulchan Bi-
shops wer brôt
in Jan., 1572.

Mr. Winram joyned with the rest of the Superintendants and Commissioners of the Kirk, called out by the Earle Mortoun for the conference at Leith, January, 1572, wher, under pretext of establishing the policy of the Kirk, sustentation of ministers, and support of the King's Majesty and common affaires of the realme, the Tulchan Bishops wer agreed to as an interim provision, till the King came to perfect age, or an alteration

wer made by the Parliament. By this agreement at Leith, the Earle of Mortoun and his freinds gote Church lands and revenues, and the nominall Bishops had a very small pittance allowed them. However, the Assembly refused to come in to what was done, and very soon declared against these Bishops and all prelacy in the Church, as I shall at more lenth account for upon the Life of John Erskine of Dun.

After this agreement at Leith, the Earle of Mortoun pushed on his designe, and in less than a moneth, upon the 10 of February, Mr. Winram was imployed, as Superintendant of the bounds, to inaugurat Mr. John Douglas Bishop of Saint Andrews. He preached before his reception on Titus i., and keepest the same form that had been drauen up by Mr. Knox, and approved by the Generall Assembly, twelve years before, for the reception of Superintendants. The particular circumstances will come in better upon Mr. Douglas Life.

He admitts
Mr. Douglas
Bishop of Saint
Andrews,
Feb. 10, 1572.

The Generall Assembly convened next moneth at Saint Andrews, March 6, and there new complaints wer given in against Mr. Winram. Mr. Thomas Kincer, minister at Carrail, compleaned that his Kirk had not been visited these three years bygone, and that at the last visitation there the Superintendant had not used due order, in so far as he consulted not with the ministers and elders touching things to be reformed; and next, he accused him that he had not visited the Kirks of Strathern, Monteath, Braidalbin, for some years bygone; and lastly, that he had given the vicarage of Kilmanie to one who was no minister, nor hath function in the Kirk, wherby the minister of the said Kirk, planted by the Superintendant himself, is frustrate therof. Mr. Winram re-entering answered to the first by referring to his Book of Visitation. Ther are no answers recorded as to the rest of the heads. The Assembly exhorted him to be more diligent in visitation, as he might conveniently, which he promised to do.

Complaint
against him at
the Assembly,
March 6, 1572.

Whether it was that he was fretted with these complaints, as well as forsaw others coming, I cannot tell; but next day Mr. Winram offered a dimission of his office to the Assembly. The words of the Register are: Session 3. March 7, "Mr. John Winram, Superintendant of " Fife, of his own free will, and for certain causes moving him therto, purely " and simpliciter dimitted the office of Superintendantry which he had

He offers a di-
mission, March
7, 1572.

“ within the dioces of Saint Andrews, in the Assemblys hands, requesting them earnestly to provide another in his room, for the comfort of the Kirk and visiting the ministers of these bounds.” We shall find the Assembly did not receive his dimission off his hand.

The state of the viccarage of Kilmany, part of the matter of complaint.

P. 7.

At that same dyet, Mr. Rutherford, Provost of Saint Salvators Colledge Saint Andrewes, compleaned that the Superintendant of Fife had dispoined the viccarage of Kilmanie, which belonged to him, the Provost, and Colledge ; and that Mr. Winram had dispoined an altarage in the Kirk of Saint Andrews, which was also in their gift, as appeared by the foundation yet extant,—requesting the Assembly to take such course in that matter as equity required, that the Colledge might not be put to unnecessary expenses before other courts in seeking a remedy. The Assembly appointed Mr. John Row, Gilbert Garden, William Christison, Andrew Hay, and David Lindsay, to pass to Saint Salvators Colledge, and see and consider the foundation alledged, and report. They did report next Session, that they found the following clause in the foundation: “ Vicariæ de Kilmanie electio et presentatio ordinarie facienda ad domini prepositi. et ceteros de dicto Collegio graduatos debent pertinere, qui quidem vicarius omnia onera ordinaria subire tenetur.” On this report the Assembly ordeaned a letter to be writt to the Lords Senators of the Colledge of Justice, testifying what they had found, as above.

The Assembly desire him to continou his Superintendency,

In the fourth Session the Assembly, after these complaints and the demission offered, “ ordean the Superintendant of Fife, to exerce his own jurisdiction, as of before, in the provinces not yet subject to the Arch-bishoprick of Saint Andrews, and also requests him to concurr with the said Archbishop, when he requirith his visitation or otherwise within his bounds: and likewise the Superintendants of Lothian and Angus to continou in their jurisdiction in manner foresaid without prejudice of the said Archbishop, except by virtue of his commission.”

And yet the next May, 1572, seem to free him from it.

At the next Assembly, as it appears to me, Mr. Winram seems to be freed of his Superintendency of Fife. They met May 6, and in their first Session, they find and declare “ the Diocie of Saint Andrews, whersoever it lyeth, to pertain to the Bishop of Saint Andrews, and to no other Superintendent, to visit and plant Kirks;” upon this the Bishop desires assistants, the Superintendants of Angus and Lothian, Mrs.

Pout, Hay and Craige, to which the Assembly agrees. Mr. Winram is not in the number, and so seems to be freed from his vistration in Fyfe. I have no line to direct me here, and only set down facts as I find them, Mr. Winram is present in that Assembly, and joyns in the Assemblys protest against the convention at Leith, as I shall further remark upon John Erskine of Dum his life. In the next Assembly, March, 1573, I find Mr. Winram present under the character of the Superintendant of Strathern, and not Fife as formerly, and in some following Assemblys he continues so to be called.

In the Assembly, 1575, I find Mr. Winram is designed Prior of Portmoak;* whether he had some of the rents of that priory assigned to him, or what was the reason, I cannot tell, but in the first Session the controversy about the choice of the Bishop of Murray is remitted to Mr. John Winram, prior of Portmoak, Mr. Andrew Hay, Mr. David Cunningham and Mr. Andrew Melvil. At that same Assembly, Session 3, the Assembly, “gives commission of Superintendautship to Mr. John Winram, prior of Portmoak, in the bounds of Fife and Strathern.” Before this Assembly, Mr. Douglas, Bishop of Saint Andrews, dyed, which is the reason of this new power given again to Mr. Winram. At this same Assembly, I find him nominat upon a Committy, with others, to frame an Act anent ministers apparrell, which I shall afterwards insert in this Biography, on another occasion.

1575, Mr. Winram prior of Portmoak, and Superintendant of Fife.

At the next Assembly, August, 1575, “the superintendant of Fife “is compleaned upon that none of the university of Saint Andrews wer “present : that the Kirk of Ryne had no readers, by reason of a contra- “versy among the readers : that the exercise is taken away from St. “Leonard’s to the parish Kirk, and yet neither preaching nor exercises “keept that day. To the first he answered, that it is not his duty to “name commissioners for the university, but that it belonged to them- “selves, and that they had nominat Mr. Robert Hamilton, their minister; “to the second, that the matter being remitted to him, he found no ground, “and has remitted the same to the Assembly, wherin they decerned the “posessor to remain at the said Kirk, and since that the parishoners

P. 8.
Complaint against him, Assembly, 1575, with his answers.

* Winram is designated Prior of Portmoak much earlier. See Note A.

“ agreed to another third person : to the third, that ther was an order
 “ set down for the exercise, and a roll of the exercisers written, and not
 “ the less ther has been no exercise kept since pasch by past a year,
 “ wherof he desired the bretheren to provide a remedy. The Assembly
 “ ordeaned the exercise to be restored again to Saint Leonard’s Colledge,
 “ and the Friday preaching to be kept, but yet that Mr. R. Hamiltoun
 “ should be heard when he came to the Assembly, and ordeans the said
 “ Superintendant to place John Pitcairn as reader, and give him Letters
 “ of concurrence, such as wer given by the umquhile Bishop of Saint
 “ Andrews, conform to the decreet.”

Continoued in
 his Superin-
 tendantship,
 1576.

After this year I do not find Mr. Winram in our Assemblies. At this Assembly, it was thôt expedient to make annual visitors and commissioners, and change their bounds of visitation to prevent ambition and inconveniencies in the Kirk. Accordingly the Assembly change the bounds of the Commissioners and visitors. However they continow the Superintendants of Fife and Lothian in their office, and at the following Assembly, 1576, ther are three or four appointed visitors in every particular bounds formerly the oversight and charge of one person, and for Fife Mr. Winram, who was not present, with such as he should joyn to himself, with the advice of the commissioners that are to pass to Saint Andrews, and afterward I find no more nottice taken of him in the nominations of the Assembly.

He dyes about
 the 1577.

⁵ See Note E.

⁶ See Note F.

Its probable then that he dyed about the 1577.⁵ This is all I have been able to gather concerning him.⁶ I do not observe that, thô he was a Superintendant, he was ever chosen moderator of any of our Assemblys, thô he was present at about 36 Assemblys. He was certainly an early favourer of the Reformation and usefull at the Reformation, but afterward seems not to have been so well liked. I find nothing published
⁷ See Note G. by him.⁷

COLLECTIONS

ON THE

LIFE OF MR. JOHN CARSWELL,

SUPERINTENDANT OF ARGYLE.

COLLECTIONS

ON THE

LIFE OF MR. JOHN CARSWELL,

SUPERINTENDANT OF ARGYLE.

HAVING given some hints at the Lives of the other four Superintendants named in this Church at the Reformation, Mr. Willock, Mr. Spotswood, John Erskine of Dun, and Mr. John Winram, I thôt it not unproper to put together the few hints I have met with as to Mr. Carswell, thô his great distance from the judicatorys of this Church, and, it may be, his inferior gifts and usefulness, are the reasons why we have less preserved concerning him than the rest. Indeed very little offers to me about him. But I incline to preserve any scattered passages which occur, and others may add to them.

Dec. 9, 1729.
Little offers
as to this life.

I have nothing about his parentage or education ; the first time I meet with him, is when the few ministers in Scotland wer allocat to their charges, July, 1560. He is nominat to be Superintendant of Argyle. He is alwise spoke of as a Master of Arts, and so no doubt had accademical ordination [education?]¹ Whether he was in Orders before the Reformation does not appear ; but we may suppose he was a person of some standing and gravity, otherwise he would not have been named for this charge, and its to be hoped he was for some time enlightned with

Mr. Carswall
named to be
superintendant,
July, 1560.

¹ See Note A.

the knowledge of the truth, and not a novice when pitched on for this office. Mr. John Douglas had laboured in Argyleshire in word and doctrine before and at the Reformation, and the reasons why he was pitched up [on] for Superintendant in these bounds, have been hinted at.

He is seldom
at Generall As-
semblys.

He is not mentioned in the list of the members of our first Generall Assembly, and does not seem to have [been] at it; but he was present in the Assembly, 1562, of which the Registers and Mr. Calderwood give us the names of the members. He was present at some Assemblys afterwards, yet I find no nottice taken of him save once. In the Assemblys tryall of Superintendants and ministers, which was at every Generall Assembly, we shall find that somtimes he was excused. In the winter time it was hard for him to come from the remote places committed to him, and the summer season was the most convenient time for his visitation of his Kirks.

In the Assembly, June, 1562, Session 6, suit is made to the Justice Clerk for order to be taken with Mr. James M'Verit in Bute, for disobedience to the Superintendant of Argyle.

His letter to
Kinzeaneleugh,
March 29, 1564,

Ther seems to have been a correspondence between him and Robert Campbell of Kinzeaneleugh, whose Life followes. I have an originall letter from the Superintendant to this gentleman, in the year 1564, which I shall insert, because it conteans some facts concerning Mr. Carswell, and its but few letters of this early time are preserved. Not having Mr. Campbels letter, to which this is an answer, and knowing nothing about the person it relates to, severall parts of the letter will remain dark. I doubt if I be able to master some words in the originall. Its directed, *To his loving brother, Robert Campbell of Kinzeaneleugh, deliver this,* and it runs: "Continoual assistance of the Spirit of God be with you for
"salvation. In your letter direct unto me, (Beloved Brother in the
"Lord,) it appears to me that you are sinisterlie informed towards me,
"or else in judgment and credit somewhat facile; because you write as
"ane meining (perhaps, menacing) that ye thinke the warlde and indwel-
"lars thereof turnand so fast, and indeed I fear the same to be maist true,
"in generall. God forbid it be sa in all specialls, as for my auin part,
"concerning fast turning in Goddis causis or the faythfullis, I hope in
"God, be the assistance of his Spreit, to have tham dissavit that so wald

“report of me, (giff your meining be this.) I communed with our
 “brother George at lenth, and giff he had informed you, as I
 “informed him and for my part offered him occasion, I belive
 “he wald have declared unto my part ; for let them say what they list,
 “my conscience will not let me use rigour but against the stubborn. But
 “in this matter of teinds, it is not mine, but the factors ; and yet, if
 “George wald remember how reasonable I was in my answer to him, I
 “wonder that he reported not the same to you. But because I am uther-
 “wayes occupied, I will not impose you with writtings, to contene the
 “hail matter then, bot will be weil pleased to continou or else to forgiff
 “the hail matter. Howbeit I cannot forgiff to do my sober diligence in
 “furtherance of the Kirk. For thus stands the matter in this country ;
 “giff we crave our stipends and remitt them not at the possessors, than
 “our preaching is unprofitable ; and giff we remitt them, than the travail
 “cannot be susteained, for fault of sustentation of the travaillers ; and of
 “some our travail not the better alloned, although we became beggars.
 “I am sorry for our brother Georges seiknes, God comfort him. As for
 “the continuance, as is before written, it shall be used, but because I
 “pass presently to Kyntyre, and therafter to the Isles, to visit some
 “Kirks, I cannot be at the Generall Assembly ; and my bretheren, the
 “minister of Edinburgh, and Superintendant of Glasgow, has written
 “unto me, that they will excuse me at the Generall Assembly, and thinks
 “that my travail now in the Isles may do more good to the Kirk nor my
 “presence at the Assembly ; because it cannot be weil travailed throu in
 “winter, whilk ye shall also remember at the Assembly, giff ye be there,
 “and after my returning I wald be glad to know (things) at you as occa-
 “sion may serve. Thus committs you to the protection of God. Off Dun-
 “nivy, this 29 day of March, 1564.

“Your luiffing Brother to command,

“JOHNE CARSWELL.”

From this letter its plain enough that the Superintendants reconed ^{This letter,}
 themselves bound to be at every Assembly, and used to send their excuses
 when not present ; and it would seem ther was an intimacy between
 Kinzeancleugh and Mr. Carswell. I am somtimes surprized to observe

P. 3.

the propriety of language, and clear and distinct way of expressing themselves in these early times, which, bating some few peculiarities, is almost equal to our stile at present, and much more nervouse and strong, so that when I read the papers drawn by our first Reformers, their letters and writings, I scarce can recon either the language and stile of that age so low, or ours since so much improven, as commonly they seem to be thôt. Who this George was the Superintendant speaks of, I will not pretend to guess. Bishop Spotswood speaks [of] George Laird of Balcomie in Fyfe, presented to the See of Argyle. Doctor Monro, in his Appendix to Bishop Spotswood's History, makes him the last of the Popish Bishops there. If it be he who is meaned here, he has embraced the Protestant religion, since the Superintendant calls him brother. In that event he might have some concern in the teinds. But its probable its some other that is spoken of.

I find Mr. Carswell present in the Generall Assembly, July, 1569. And Mr. Calderwood tells us, that the first Session "Mr. John Carswell "Superintendant of Argyle was reproved for accepting the Bishoprick of "the Isles without making the Assembly forseen, and for riding and "assisting of the Parliament holden by the Queen after the murder of "the King." The Popish Queen advanced several persons to the title of Bishop, and allowed them some of [the] rents of the Bishopricks to serve her with their votes in Parliament.² So I suppose after the Queen's return from France, Mr. John Lesley, when a Lord of Session, was made both the Bishop of Argyle, and then Bishop of Ross; and Mr. H. Sinclair hath the title of the Bishop of Orkney. The Papists she advanced no doubt had confirmation from the Pope; but the Protestants had no more save a civil title to part of the rent of the Bishopricks they had their title from. Mr. Carswell is the only Superintendant or minister I meet with, who had the title of a Bishop given him, till the Tulchan Bishops wer brought in. And this is not much for his honour, and seems to contradict his assurances given to Kinzeaneleugh, that he would be fast in the matters of God and the faithfull.

After this I find no more about him, and it may be he did not long outlive this Assembly, wher he was present.³ The author of the Appendix to Bishop Spotswoods History makes him Bishop of Argyle after the

² See note B.

³ See note C.

Reformation, but I doubt this is a mistake in him for the Isles, and sayes his successor there, Mr. Boyd, a son of the family of Boyd, found his diocess exceedingly ignorant when he came to it, and that he was exceedingly usefull for propagating knowledge, and reforming that part of the country. Whether [it] was from any negligence in the Superintendant, or from the peoples falling back to their former ignorance, in the intervall betwixt, I do not determine. I doubt if ther was any great change to the better in that remote part of the nation, till after the 1638, when, by the care of our Assemblys and the assistance of the excellent Marquise of Argyle, a very great reformation was brought about in Argyleshire and the Isles, and its plain enough ther has been abundance of room left for advances in that good work of the reforming and planting of the Highland and Isles for the Church since the Reformation, and work enough remains at this day, thò I beleve more hath been done this way since the Revolution, than was, or perhaps could weel be, got done since our first Reformation from Popery. May the Lord yet help it forward! ⁴

P. 4.

⁴ See Note D.

December 9, 1729.

I find nothing in our Assemblys about the Isles or Argyle since Mr. Carswell was present till the Assembly, October 20, 1580, when the severall Tulchan Bishops are summoned to the next Assembly to assent to the Articles agreed on betwixt the Generall Assembly, and the Bishops of Saint Andrews, Glasgow, and the Isles, and that same Session, October 25, Mr. Andrew Hay is ordeaned to summon the visiter of Argyle to compear befor the next Generall Assembly, to answer upon the usurpation of the office of visitation, within the said bounds, under pain of disobedience, but whither this was Mr. Carswell, or probably another, I do not determine; at that same Assembly Mr. John Campbell is appointed visiter of the Isles and Argyle.

COLLECTIONS

ON THE

LIFE OF MR. ALEXANDER GORDON,

BISHOP OF ATHENS AND GALLOWAY AFTER THE REFORMATION,
COMMISSIONER FOR GALLOWAY, AND LORD OF SESSION.

COLLECTIONS

ON THE

LIFE OF MR. ALEXANDER GORDON,

BISHOP OF ATHENS AND GALLOWAY AFTER THE REFORMATION,

COMMISSIONER FOR GALLOWAY AND LORD OF SESSION.

WHEN I am giving the Lives of persons of consideration and eminency at and after the Reformation, Bishop Gordon falls in as the only Popish Bishop, who joyned in with the Reformation. I cannot say his character stands so fair as most of those whose Lives are here, but he was a person of distinction and was in a good many Generall Assemblies, thô pretty frequently as a pannall. However the hints I am to give of him will let us in to severall steps taken by the church after the Reformation, and may tend to enlighten our history, and since I am to give the Lives of most of our Bishops till the Union of the Crowns, where I have materialls, I could not but well begin with Bishop Gordon. Most of what I have about him is from Mr. Calderwoods MS. and our Assembly Records.

Dec. 22, 1729.
Reasons of
writing, and
vouchers for
what is in, this
life.

Mr. Gordon was a son of the Family of Huntly, many of whom in the time of Popery wer churchmen. He was probably educat abroad, and no doubt was sufficiently esteemed in the Popish church; and its like he was sometime at Rome, wher Scots men wer very much carressed, some years before the Reformation.¹ By the Pope, it seems, he was

His parentage.
Made Titular
Archbishop of
Athens, and
Bishop of Galloway, 1558.
¹ See note A.

ordained Titular Archbishop of Athens. I do not meet with him in Scotland till the year 1558, when probably he returned to his native country, and succeeded to Andrew Durie Bishop of Galloway, who, with severall other Popish Bishops, dyed about this time. Bishop Durie was one of the most virulent of the Popish Bishops, and signal for his ignorance, cursing and swearing, and enmity to the Reformation. Mr. Knox tells us in his History, "That he vowed in despite of God that "so long as they who wer then Prelates lived, that word called the Gospel should never be preached in this Realm." The Queen Regent, and the French managers, put in his room the Titular Archbishop of Athens, as a man of a better character.

Joyns in the
Reformation
Parliament,
July, 1560.

When he saw the Reformation a going game, very early he fell in with it. It is probable he had considerable opportunitys while abroad to know the truth; and now finding his interest to fall in with it, he would be the more open to arguments and conviction. I will not judge his springs and the fountains of his joyning with the Reformation. Charity leads to think they wer good, but his many turns afterwards, and his pushing after preferment, give some room to wish they have been quite right. He was present at the Parliament, July, 1560, when the Reformation was established and Popery abolished. And Mr. Knox names him, as the only Popish Bishop who joyned in the Reformation. He says, "The meeting of that Parliament was numerous and the cheif "pillars of the Papisticall church gave their presence, such as the Bishops "of Saint Andrews, Dunkeld, and Dunblane, with others of the inferior "sort; besides those that had renounced Papistry, and openly professed "Jesus Christ with us, such as the Bishop of Galloway, the Abbots of "Lundoris, Culros, St. Colms Inch, Newbotle, Hallyroodhouse, the Prior "of Saint Andrews, the Subprior and some others whom we observed not."

P. 2.

He with
others sub-
scribes the
Book of Dis-
cipline, January
26th, 1561.

I find him likewise this year joyning in all appearance heartily with the First Book of Discipline; and so, as Mr. David Buchanan observes in the common printed Knox, in the passage of Knox I am just now to insert, as he renounced Popery, so he renounced Prelacy also by that subscription. The account of this subscription to the First Book of Discipline I give in Mr. Knoxes own words. He observes ther wer none in the realme more unmercifull to poor ministers then wer they which had the greatest

rents of the Churches. Yet adds he, "The Book of Discipline was subscribed by a great part of Nobility, to wit, the Dukes Grace, the Earle of Arran, the Earles Argyle, Glencairn, Marishall Monteith, Mortom, Rothes, Lord James, afterward Earle of Murray, Lord Yester, Boyd, Uchiltree, Master of Maxwell, Lord Lindsay, and the master, now Lord: Barrons; Drumlanrig, Lochinvare, Garlies, Barganny, Mr. Alexander Gordon Bishop of Galloway, Alexander Campbell Dean of Murray, with a great number more, subscribed and approved the said Book in the Tolbooth of Edinburgh, January 26th, [27th,] 1560." I belive the manner of Subscription and reservation of the benefices and rents of such as joyned in the reservation was no small argument with Bishop Gordon to joyn, and Mr. Knox gives it thus :

"We which have subscribed these presents, having advised with the articles herein specifed and above mentioned, from the beginning of this Book, thinks the same good and conform to God's word, in all points, conform to the notes and aditions therto eiked, and promise to set the same forward at the uttermost of our power, providing that Bishops, Abbots, Priors, and other Prelates and beneficed men, which else have adjoyned themselves to us, brook the revenues of their Benifices during life, they susteaning and upholding the ministry and ministers, as is herin specifed, for preaching the word and ministring the sacraments." This restriction tho I believe well designed, and burdened with provision of ministers, was a dead weight on the settling of ministers for many years ; and the church rents, on way or other, came to be so dilapidat and squandered away, without due provision for ministers, schools, or the poor, that for near forty years ther was constant complaints this way.

Bishop Gordon had not been named at first among the superintendants at the Reformation, but it seems as soon as things wer brought to any setlment, after the Queens Return in the beginning of the 1562, he had used his interest at the Privy Council to be named to the Superintendantship of Galloway. He had, in as far as the resolve above named could give him, a title to the rents of the Bishoprick of Galloway ; but, as things stood, ther wer many incumberances upon them by the Queen and Nobility, and both to secure his title to the rent and that he might have a share in our Generall Assemblys, and preserve an influence

Tennour of
subscription to
it.

Supplicats the
Assembly, 1562,
that he might
be made Super-
intendant of
Galloway.

upon that country, he sought this office, and seems to have been very intent upon it. To the Assembly which met June last, 1562, he gave in a supplication which had it been preserved to us, we would have known his present circumstances better. But I can only give the Assemblys answer to it, from Calderwoods MS. "In the second session of the Assembly, June last, it was answered by the Assembly, to the petition of Mr. Alexander Gordon anent the superintendantship of Galloway: "First, they understand not how he hath any nomination or presentation, "either by the Lords of secret counsell or province of Galloway: Secondly, "That albiet he had the presentation of the Lords, yet he hath not "observed the order kept in the Election of Superintendants, and "therfor cannot acknowledge him as a Superintendant lawfully called, "for the present, but offered unto him their aid and assistance, if the "Kirks of Galloway shall first suit and the Lords present; and require, "before he depart, that he subscribe the Book of Discipline: Further it "was concluded that letters should be sent to Kirks of Galloway to learn "whether they required any Superintendant or not, and whom they "required." By this we see it plain, that the Assembly reserved the power in themselves to admitt Superintendants, upon the suit of the Bounds they were to have the charge of, and the presentation of the Council, who provided support to them.

P. 3.

Put on the
lite for Super-
intendant [of]
Galloway by
the Assembly,
Dec., 1562.

In the Assembly, December, 1562, as we have seen on Mr. Cockburns Life, the Assembly wer very earnest to have the number of Superintendants increased and had a designe to setle them in Aberdeen, Banf, Jedburg, and Dumfreice; whither they had a return to their letters to the Kirks of Galloway that they desired a Superintendant I know not, but "the Assembly nominates in lites for the Superintendantship of Galloway "Mr. Alexander Gordon, intituled Bishop of Galloway, and Mr. Robert "Pont Minister of Dunkeld, ordeaning edicts to be set forth for the "admission upon the last Lords day of Aprile, and appointed the Superintendant of Glasgow, (Mr. Willock as I take it, who is termed "Superintendant of the West) Mr. Knox, minister of Edinburgh, "Mr. Robert Hamiltoun, minister of Uchiltree and Mauchlin, and "other learned men to be present at the inauguration of the person "elected. The place of admission is to be the parish Kirk of Dumfreice.

“ In the mean time the Assembly giveth commission to the said Mr. Alexander to admitt ministers, exhorters, and readers, and do such other things as wer accustomed, in planting of Kirks.”

Upon Mr. Knox Life, we shall find the Queens thôts of the Bishop, and his care to recomend himself to Mr. Knoxes interest, as to this busines of the Superintendantship. It will not be improper to give a hint of it here. In Mr. Knoxes third conference with the Queen about March, 1563, among other discourses the Queen was pleased to say to Mr. Knox “ I understand ye are to go to Dumfreice for the election of a Superintendant. Yes, said Mr. Knox, those quarters had great need, and some of the gentlemen so require. But I hear, said the Queen, that the Bishop of Athens would be Superintendant. He is one, said the other, Madam, who is put in election. If ye knew him as well as I do, answered the Queen, you would never promote him to that or any other office within your Kirk. What he hath been, said Mr. Knox, I neither know, Madam, nor did inquire; for in time of darknes what could we do but groap and go wrong, even as darknes carryed us? but if he fear not God now, he deceiveth many mo than me. And yet, added he, Madam, I am assured God will not suffer his Kirk to be so far deceived, that an unworthy man shall be elected, wher free election is, and the Spirit of God is earnestly called upon, to decide betwixt two. Well, answered the Queen, do as ye will, but that man is a dangerous man.” Mr. Knox adds, and therein she was not deccived, for he had corrupted most part of the gentlemen, not only to nominat him, but also to elect him; which, when perceived by the said John, Commissioner, he left Mr. Robert Pont with the Master of Maxwell, that his doctrine and conversation might be the better tryed of those that had not knowen him, and so the Bishop was frustrat of his purpose for that present. And yet, as Mr. Knox adds, Mr. Gordon was at that time, the man that was most familiar with the said John at his house and table.

Though he was thus balked of his project, as to the Superintendantry, yet he acted still as Commissioner. And so at the Assembly, June, 1563, “ Mr. Alexander Gordon, stiled Bishop of Galloway, having got com- mission before to plant ministers, exorters, and readers, and other office-

The Queens
character of the
Bishop, and his
dealings with
Mr. Knox,
1563.

Complaint
against him,
Assembly,
June, 1563,
P. 4.

“bearers requisite for a Reformed Kirk, within the bounds of Galloway, was removed. The Laird of Garlies, younger, compleaned, that the said Commissioner had not ministred justice to Margaret Murray, compleaning upon her husband, Golfrid M'Culloch. But the Commissioner could not satisfy the Assembly with any sufficient excuse.”

Another at
Assembly,
Dec., 1563.

At the Assembly, December, 1563, the young Laird of Garlees complained on the Bishop for retaining in his house two persons, after their publick repentance for fornication. He denyed that he had reteaned the woman; but as for the man, after he had dismissed him for a time, knowing no offence to him, he received him. I find at this Assembly many Commissioners as weel as Superintendants, removed in order [to] censure, besids Mr. Gordon, now termed Commissioner of Galloway, Mr. Donald Monro for Ross, Mr. Robert Pont for Murray, Invernes, and Bamf, Mr. Thomas Drummond and John Duncanson for Monteith. So that with the five Superintendants, ther wer not many places of note, save the Merce and the Dales, but what had overseers as to visitation and plantation sent by the Assembly.

1564, made
a Lord of Ses-
sion.

I gather from what offers next in our Assemblys about Bishop Gordon, that both he and another Commissioner, who seems to have been somewhat of his temper, wer made Lords of Session next year. At Assembly, December, 1564, “When the Commissioners of Galloway and Orkney wer removed for tryall and censure, some bretheren propomned that they should be enquired and demanded, if in their consciences they thôt that they might both dulia exercise the office of a Superintendant, and the office of a Lord in the Session and Colledge of Justice.” Ther is no answer returned, nor any repealing of their office of Commissioners, thô we shall find complaints (and it could not be otherwise) of a constant neglect of visitation from this time.

Appoint-
ments laid upon
him by the
Generall As-
sembly, Dec.,
1566.

Althô being a Lord of Session, neither he nor Adam Bothwell, made Bishop of Orkney about this time by the Queen, that is, having a gift of the rents of that Bishoprick, could discharge any part almost of their office of commissioners, yet I do not find that their commission is taken away by the Assembly. The time was very troublesome, and they had none to substitute in their room nor any mentainance for them, thô they had fallen on some fitt person, and I find them both sitting in Assemblys,

as most part of the Protestant Lords of Session, and Officers of State did, as Elders, and indeed as yet ther wer no direct regulations made as to the members of our Generall Assemblys. Thus, Assembly, December, 1566, I find “the Bishops of Galloway and Orkney, the Justice Clerk, David “Forrest, Mr. John Row, David Lindsay, William Christison, and “Robert Pont, wer appointed to read and consider and revise an answer “made by Mr. William Ramsay, one of the masters of St. Salvators “Colledge to Henry Bullingers book, anent *the abulziament of preachers “in England.*” And at the same Assembly the Bishops of Galloway and Orkney, George Lesley of Stramiglo, Mr. William Ramsay, Mrs. Pont and Christison, Justice Clerk and David Forrest are appointed to answer and decide questions propounded to the Assembly, and they joyn heartily with the rest of that Assembly, in their petition (as we shall see in Mr. Knox Life) against restoring the Archbishop of Saint Andrews to his spiritualities.

In the Assembly, December, 1567, I find those two titular Bishops (for I’ll take in Bishop of Orkney with Bishop Gordon, since I want materialls for him by himself,*) wer accused at the tryall of Superintendants; the Bishop of Orkney absent, for neglect of visitation,—that he occupied the room of a judge in the Session, the sheep wandering without a pastor,—that he reteaned Sir Francis Bothwell a papist in his house,—had given him a benefice,—and for his marrying the Queen with the Earle of Bothwell. “Alexander, called of Galloway accused that he has not “visited these three years by gane, the Kirks within his charge. That “he had left off the visiting and planting of Kirks and haunted the “Court too much, and had now purchased to be one of the Session “and Privy Council, which cannot agree with the office of a Pastor or “Bishop, that he hath resigned Inchafferey in favours of a young “child, and set diverse lands in feu in prejudice of the Kirk.”² In the fourth Session, the Bishop of Galloway compears, and “granted that he “had offended in all that was laid to his charge, yet upon some consider- “ations (which, sayes Mr. Calderwood, are not expressed in the Register)

P. 5.
His accusa-
tion, Assembly,
December,
1567.

² See Note B.

* Wodrow’s notices of Bishop Bothwell are very defective. An account of him will be found in Haig and Brunton’s Historical Account of the Senators of the College of Justice, pp. 119—122.

“his commission was continued till the next Assembly, with admonition “to be diligent in the office of visitation.” The Bishop of Orkney was deposed from all function in the ministry, but this sentence was soon taken off. Mr. Anderson hath printed both the Acts relative to him in his third volume of his curious Collections upon Queen Mary.

1567, he de-
mits the rents
of the Bishop-
rick of Gallo-
way in favours
of Mr. John
Gordon.

By a paper I have before me, found among Sir James Semple of Beltrees, Secretary to King James the Sixth, his papers, and communicat to me kindly by the present Laird of Beltrees, his great grand child, I find that about this time, Bishop Gordon resigned the rents of the Bishoprick of Galloway into the Kings hands. What equivalent he had, perhaps his continuance in the Session and Council, or what other thing I know not.* But the rents by a charter under the great seal are disposed to John Gordon, a son of the house of Huntley, at present a student. The paper is but a Double, but very fairly written, and probably taken off the Register, or the originall, for Sir James Semples use, upon some occasion or other after the union of the crowns. Its title is “*Exemplar Regii Diplomatis, quo ratahabita et approbata est Electio Joannis Gordonii ad Episcopatum Candidæ Casæ, quæ ipso Gordonio, tunc temporis in Gallia, studiis Theologicis incumbenti, in solemnî conventu Superintendentium, et ministroꝝ totius regni Scotiæ peracta est Anno Domini 1567, et primo felicissimi Jacobi 6. nunc magnæ Britanniæ, Franciæ et Hiberniæ Augustissimi Regis.*” This title is no doubt formed by Sir James. Therin the King, with advice of the Earle of Murray confirms the grant of the Bishoprick of Galloway and Abbacy of Tongland disponned by the King and Queen, his dearest Father and Mother, “*clerico nostro magistro Joanni Gordon, Consanguineo germano Comitiss de Huntley,*” by the resignation and simple dimission of Bishop Alexander Gordon, to the said Mr. John Gordon. The reason of the grant is, the King being informed of the singular qualifications of the said Mr. John, and that he is weel seen in the Hebrew, Chaldaick, Syriack, Greek, and Latine tongues, and the King is earnestly desired by the whole church

* By the extract from the History of the Earldom of Sutherland, Note A. it appears that this John Gordon, afterwards Dean of Salisbury, was the Bishop's own son. The motive for resigning the rents of the See of Galloway in his favor is therefore obvious.

and the ministers therof, to present the said Mr. John to that Ecclesiastical Benefice, (dignitati Ecclesiasticæ,) for the [benefit] of the leidges. Therfor the King ratifies and renewes the former gift to him as a qualified and learned person, with the consent of the whole reformed church or the Superintendants. Its dated at Edinburgh, January 4, 1567. But because this is the only instance of such a grant that I have met with I'll insert a copy of it in the Appendix. No. [I.] I doubt not but the Superintendants had assurances of Mr. Gordon's professing the Reformation before they granted their consent to the application of the Rents of the Bishoprick to the education of this youth, who for any thing I have mett with, for all that, was not then a Protestant. Its plain I see from the paper that Mr. Alexander Gordon, former Bishop, hath resigned, 1565, during the life of King Henry Steuart, and, as I guess, on his being made a Lord of Session.

P. 6.
Copy of the
Kings grant of
the Rents of
Galloway, to
Mr. John Gor-
don, January,
1567. App.
No. I.

At the next Assembly, July, 1568, Mr. Gordon is not present: the Assembly ordean him to be present at the next Parliament, [Assembly?] and shew his diligence in the charge committed to him in that province and to answer whither he will await on Court and Council,³ or on preaching and planting of Kirks. This Assembly take off the former sentence on the Bishop of Orkney upon his publick repentance. I do not observe him at the next Assembly, but the next again, July, 1569, "Mr. Alexander Gordon, somtimes Commissioner of Galloway, was ordeaned to come to the next Assembly and in the meantime inhibited to exerce any function in the Kirk, conform to the Act made against him in the Assembly, July, 1568," in which he was discharged to exerce the office of a commissioner in that country, or to take up the thrids he had for that office in case he compared not before the last Session of that Assembly.

Procedure,
Assembly,
1568, and June,
1569, about him,
when he is in-
hibited to exerce
his office and
cited to next
Assembly.
3 See Note C.

I find no more about Mr. Gordon till he joyns with the Lords [of] the Queens faction in the Castle of Edinburgh. He seems now to be joynd with that side after the murder of the good Regent, and to despise all the acts of the Assembly about him. I do not meet with him at the next Assembly, 1570, in March, but at that meeting Articles are formed against Adam Bothwell, Bishop of Orkney, who was much of the same kidney with him. And because they contean this churches sentiments

He does not
compare, As-
sembly, March,
1570, when the
Assembly forms

Articles against Adam, Bishop of Orkney, App. No. II.

His answers App. No. 111.

Come to such who held the castle for the Queen, June 8, 1571.

P. 7.

Bishop Gordon's sermon at Edinburgh, June 17, 1571.

on what after came to be more open matter of contraversion about Ministers civil places and using titles which the church, as early as this year, think antichristian, I have put the Articles the Assembly formed against him to the Appendix, No. [II.] and the Bishops answers to them, which conteans his own account of himself, from the Reformation downward, Appendix, No. [III.] and the rather that they have not yet been printed. Mr. Knox, and some others are appointed to consider his answers, and report to the next Assembly; but I meet with no Report. I suppose the civil warrs and confusions falling in prevented any further being done. I find Bishop Bothwell at the convention of Leith next year; Gordon was then probably with the Queens faction.

Upon the 8 of June, 1571, the Bishop [of] Galloway, or Athens, as Mr. Calderwood now designes Mr. Gordon, came into those who keepped out the castle of Edinburgh for the Queen, to hold the parliament convened in her name this moneth. He continued with the castellans for some time and preached, Mr. Knox being now removed and Mr. Craige too much silent, as willing not to give offence to either side.

Mr. Calderwood hath preserved to us his sermon in the great church of Edinburgh, June 17, this year; and I shall give myself the trouble to transcribe it as a specimen of his gifts and manner of preaching; and the rather because we have not many specimens of persons that had been both Papist and Protestant preachers. It is as followes: " Good People, my text is of Faith, Hope, Love and Charity, written in the xiii. of the Corinthians. For of Faith proceedeth Love, and of Love, Charity, which are the wings to Hope, wherby all Christian men should enter into the kingdom of Heaven, wher I pray God we may all goe; and this for the present. Now Bretheren, may I not speare at you, in what part of this poor realme is Faith, Hope, Love and Charity resett? and if they be authorized among the Estates? Na, na, Brether[en], na! Is faith among our Nobility? why then, how many Lords have subscribed their hand writes or their seals, and keepped their promise, either on their side or ours? yea, few or none! But I will speak neutrally, for its my part, seing my Brothers son and I are thrids of kin to the Lord Morton. Is not their Regent sicklike and we of near kin? But

“alace, how many of us keep faith and love one to another ! Why then
“let us go to the second Estate. Have the spirituality observed the
“precepts of Ecclesiasticall order, conform to their first institution ? Or
“have not our ministers not altered from the last order, set out after the
“reformation of the Kirk ? Or then in the third Estate ; if there be Faith
“and Love among you Burgesses, in buying or selling their wares, or
“borrowing and lending one with another ? Yea, if I would digress I
“doubt not but Faith and Love is least in Machling, in the wood of Hard-
“heads, wher many of your merchants leave their Faith. But alace,
“Bretheren, the only cause of this is particularity which hath been the
“greatest occasion that hath caused this poor country decline from their
“soveraigne the Queen’s Majesty, our only mistress, who now remaineth
“in England but not prisoner as they have made you to belive ; but
“I will assure you, for I may say it because I have seen it, being
“commissioner there for the Lords of Her faction, wherfor I would wish
“you not to be abused ; for this I will take upon my conscience, yea
“upon mine honnour, that she is better treated, better nourished, yea
“reverenced and authorized more in England in one day, than she was
“in Scotland in a year, and licenced to hawk and hunt and use sundry
“other pastimes as pleaseth her ; albeit our ministers have altogether
“forgot her and are not willing to pray for her ; yet I would wish you
“inhabitants of Edinburgh to send for your ministers and cause them to
“pray for your Queen : for they should pray for their lawfull magistrate
“whatsomever. For this I may say, she is a lawfull magistrat,
“seing her father was a lawfull King, and her mother likewise an
“honourable Princess, and she born in lawfull bed ; this for the
“profe of my argument that she ought to be prayed for. And further
“all sinners ought to be prayed for ; if we should not pray for sinners, for
“whom should we pray, seing that God came not to call the rightiouse
“but sinners to repentance ? Saint David was a sinner, and so is she ;
“Saint David was an adulterer, and so is she ; Saint David committed
“murder in slaying Uriah for his wife, and so did she ; but what is this to
“the matter ? The more wicked she be, the subjects should pray the
“more for her to bring her to the spirit of repentance : for Judas was
“a sinner and if he had been prayed for, he had not died in despair ;

P. 8.

“ wherfor I pray all faithfull subjects to pray for their lawfull magistrat,
 “ if it be the Queen, it is the Queen, as I doubt not, but ye may well
 “ consider that no inferior subject hath power to deprive or depose their
 “ lawfull magistrat, he or she whatsomever, albiet they committ whoordom,
 “ murder, incest, or any other crimes, being once by God just and lawfull
 “ prince or princess, to reigne above you, not chosen as the imperiall
 “ magistrats are. Yea and farther, was she ever excommunicat by the order
 “ of our Kirk ! If so be, just cause had we not to pray for her ; and
 “ albiet she wer, we ought to pray for her and all other sinners, to bring
 “ them to the spirit of repentance. But many of our ministers are too
 “ ceremonious at this present. For I remember my self at the beginning
 “ of our religion, when I teachd either in this pulpit or the pulpit
 “ besides, we would have been glad to have had the mass here, and the
 “ preaching there : and, Bretheren, when I stood with the stole about my
 “ neck, how many Bishops abode or bore the burden on his back then
 “ but I. But now our ministers are growen so wanton and ceremonious
 “ that they will not pray for their lawfull heretrix, who hath permitted
 “ them such liberty of conscience, that they may use what religion they
 “ please, and if we pray not for sinners, for whom then, seing the just
 “ have no need of amendment, or if we be not sinners who may say he
 “ will east the first stone at the woman tâne in adultery ? Is not my Lord
 “ of Mortoun on their side ? is not my Lord of Argyle on our side ? or is
 “ it we ministers ? nay, Bretheren, nay, for I confess myself, yea this foul
 “ carcass of mine, to be the most vile carrion, and altogether given to the
 “ lusts of the flesh ; yea I am not ashamed to say the greatest trumper
 “ in all Europe, untill such time as it pleased God to call upon me and
 “ make me one of his chosen vessels, upon whom he hath poured the
 “ spirit of his evangell, and as candles when lighted are set upon high
 “ places, so shall I shew the gifts God hath given me among you. God
 “ illuminat your hearts to receive the same. For if Manasses had not
 “ been prayed for, he had not been brought to the spirit of repentance ;
 “ one word or two and so I will beteach you to the mereys of God.
 “ Bretheren, at afternoon I will be occupied in some other bussines, but
 “ upon Wensday and Friday I shall take some pains to open the rest of
 “ this text. And because I know myself not so worthy as they who have

“occupied this place befor, I beseech you, Bretheren, send for your ministers, and I shall take the pains with them to travell, to see if we can pacify the insatiable words of our Bretheren, who go about as lions to suck out the blood of their Bretheren. And seing God blesses the peacemakers, let us see if we can be the instruments to bring the Nobility to concord with faith, hope and charity. But alace, wher was charity yesterday among us? not where it should be, conform to the words of my text, and so I beteach you to the mercy of God.”

This discourse of the Bishops is perfectly an original, and every way singular. To understand the last branch of it, the reader would know, that on Saturday, June 16th, there was a pretty bloody skirmish between those in the castle, and the Earle of Morton's forces. The Bishop tells us here severall facts concerning himself, that, as I guess it, Huntley was his brothers son, that in his youth he himself was exceeding vicious, and that lately he was up in England with the Queen,⁴ and so we need not wonder he did not answer the citations of the Generall Assembly. His discourse is rough and very plain; his arguments are the best he had, and perhaps as strong and popular as the subject would afford; and he spares neither Queen, nobles, himself, or any rank.

Remarks on it.

⁴ See Note D.

When the intestine broiles wer over between the Regents and the Castellans, as they wer called, the Generall Assembly come to take the ease of the Bishop before them, and in March, 1573, Session 6, “The Assembly for certain causes moving them, discharge Alexander, called of Galloway, to use any function within the Kirk of God, till they be further advised, and ordean Mr. John Row, commissioner of Galloway, to summon the said Alexander to compear before the next Generall Assembly, to answer to such things as shall be laid to his charge, under the pain of excommunication.”

P. 9.
He is deprived of all function in the Kirk, Assembly, March, 1573.

The next Assembly convened, Agust, 1573, “and Mr. Gordon compeared, and certain heads and accusations wer given in against him, by the Superintendant of Lothian, the Kirks of Edinburgh, Hallyrood-hous, and Saint Cuthbert. The tennor wherof Mr. Calderwood gives :
1. “We, the said Superintendant, ministers, and parishoners of the said Kirks, do complean that the said Mr. Alexander intruded himself in the office of the ministry, within the said burgh of Edinburgh, wher

Articles given in against him, Assembly, Agust, 1573.

“ he allured, drew, and perswaded a great part of the said parishoners
 “ in a company, therby confounding all good order, wherthrow their own
 “ lawfull ministers wer rejected.

2. “ The said Mr. Alexander taught the people most perverse and
 “ ungodly doctrine ; but specially in perswading, entieing, and exhorting
 “ to rebell against our soveraigne Lord, and to joyn with manifest rebells
 “ and conjured enimies.

3. “ The said Mr. Alexander, contrary to the Act of the Generall
 “ Assembly, made for praying for our soveraigne Lord, most maliciously
 “ transgressed the said ordinance, not only refusing to do the same but
 “ also avowing in his prayer another Authority ; and accusing and con-
 “ demning all true ministers that did not the like that he did.

4. “ The said Mr. Alexander being inhibite in speciall by an Act of
 “ the Generall Assembly, to have any intromission with the parishoners of
 “ Hallyroodhouse, he hath, notwithstanding, compelled them to adjoyn
 “ with his pretended Kirk in receiving the Sacrament, then abused by
 “ him, within Edinburgh, causing his pretended bailiffs, by the assistance
 “ of the men of war remaining within the said town, to oppress and
 “ compell the said poor people to give him obedience.

5. “ The said Mr. Alexander being sworn by his solemn oath for
 “ due obedience to our soveraigne Lord and his Regent and authority,
 “ comes in the contrair thereof, and violat and brake his said former oath,
 “ but specially in sitting in a pretended Parliament, for disposessing of
 “ our said soveraigne Lord of his royall crown and authority.

6. “ The said Mr. Alexander being one of the pretended Privy
 “ Counsell, after the horrible slaughter of Mathew, Earle of Lennox,
 “ Regent to our soveraigne Lord, of good memory, gave thanks for the
 “ same and others siclike, openly in the pulpit, to God, and exhorted the
 “ people to do the same, saying that it was God’s most just judgment that
 “ fell upon him, and that as God then began to exeente his most just
 “ judgment upon him, he would not fail to execute his just judgment
 “ upon the rest, comparing oft times our soveraigne Lord, his Regent and
 “ true leidges to Pharaoh and wicked Absolom, and himself to Moses
 “ and David whom God would defend.

“ Last. By reason the hainous faults of the said Mr. Alexander have

“ been so notoriously known to all men, not only such as have been committed before the Reformation, but also such as have been committed diverse times since, to the great and heavy slander of God’s trew word and professors thereof, wherthrow many of the said professors and others, our sovereigne Lords true and obedient subjects, sometime by him perverted, yet still remain in their wicked conceived error, and can scarce be perswaded in the contrair, except the said Mr. Alexander be caused to confess his error in all places wher he hath offended, but especially in all the forsaid Kirks.”

P. 10.

“ In the next Session, the fifth, Mr. Alexander Gordon, Bishop of Galloway, sent one of his servants with an answer to the accusations forsaid. But because he compeared not personally, the Assembly ordeaned Robert Drummond to summon him to compear personally before the Assembly, the morn at ten hours, to answer further to such things as should be laid to his charge. Mr. James Balfour, minister at Guthry, was ordeaned to pass to the Regents Grace, the Council and Commissioners of the Assembly who wer with his grace, and to show the said Mr. Alexander his answers to the said heads, and to desire his Grace advice, anent the alledged immunity and incompetency of the judgment of the Kirk, and to report his Graces answer to the Assembly. The said Mr. James returning, reported how that the Regent had heard the saids accusations and answers therunto, after which his Grace declared himself most willing to observe the heads of the priviledge of the Kirk, and willed, that all notoriouse open slander should be satisfyed according to the discipline of the Kirk. The tennor of Mr. Gordon’s answers followeth :

Assembly’s
procedure a-
bout him, Ses-
sion 5.

“ Bretheren, I am very loath, as God knoweth, to come in reasoning with your Wisdomes, concerning this complaint given in against me by the superintendant of Lothian and Kirks of Edinburgh, Hallyrood-house, and Saint Cuthberts. Yet in respect of the highnes and mightynes of the cause depending therupon, I am constrained, with your Wisdomes pardon, to answer therunto, which is the priviledge of the godly Act of pacification, made by the procurement of the Queens Majesty of England, with consent of my Lord Regents Grace, the whole nobility and estates of this realme. By virtue of the which Act my Lord

His answer
to the articles
given in against
him.

“ Duke and his freinds, my Lord Huntley, I and our friends, are made
 “ skaithles from all transgressions, crimes, offences, done by us, or any of us,
 “ during the time of the troubles, to the which Act, the reformed Bishops,
 “ Abbots, and Priors having vote in Parliament consented in name of the
 “ Kirk, so my Lord Regent’s grace for the criminal and your Wisdomes for
 “ the spirituall part have no place to call us, or any of us, for any offence
 “ during the said time, for the common cause, which was the mentaining
 “ of another authority, or any thing that dependeth therupon. And its
 “ of verity that the complaints given in against me depend therupon.
 “ In speciall the greatest offence which may be laid to my charge, is
 “ only the preaching of the word, which I did at the command of the
 “ other authority, and by election and admission of such as professed
 “ the same. Therfor your Wisdoms can be no competent judges to us, or
 “ any of us, conteaned in the forsaid Act of pacification. For as we wer
 “ altogether disobedient at that time to the King’s authority and Kirk,
 “ touching that point allemnarlie, in defending another authority; so are
 “ we by this Act of pacification become obedient subjects to the King and
 “ Kirk, in all things except the affairs forsaid, which are put in oblivion,
 “ with consent of the three estates, as if they had never been committed.
 “ Therfor we nor none of us ought or should be troubled any wise, for
 “ any offence done during that time, as said is. In respect of the premises,
 “ I humbly beseek your Wisdomes to have regard to our estate, condition,
 “ and service, done by my Lord Duke and his house, ours of Huntly, and
 “ dependers, for mentaining of God’s word and professors therof; and
 “ how we have not spared in times bygane our lives and heretages, in
 “ defence of the same, and that I was the first that publickly preached
 “ Christ in face of the authority; that this our defection, so honourably
 “ and lovingly remitted and put in oblivion, be no wise brôt in disputation
 “ again, to prejudge the said Act of pacification ratified and approved in
 “ Parliament by consent of the Kirk, as said is. And if ther be any other
 “ offence done by us than is conteaned in the said Act, that any wise be
 “ slanderous to the Kirk, before the 15 day of June, Anno 1567, untill
 “ the 24 of February, 1572, alias 1573, we shall answer therto, as becometh
 “ members of the reformed Kirk, and true professors of the blessed evangill.
 “ Neither can your Wisdoms have further jurisdiction over me, than over

“ the rest of the communicants conteaned in the forsaid Act of pacification,
 “ for the causes forsaid. Alwise offers me to your Wisdoms, all things
 “ bygan being put in oblivion according to the said Act, to serve in my
 “ own jurisdiction, or to desist as your Wisdomes please to appoint me.”

However Mr. Gordon does not compear nixt dyet as required.
 “ Ses. 6. Mr. Alexander Gordon being summoned, and often called,
 “ compeared not. Robert Drummond is appointed to summon him to
 “ compear again at three hours, with certification that the Assembly will
 “ proceed to further proces against him. He was summoned but com-
 “ peared not : Therupon and for offences conteaned in the former accu-
 “ sations led against him, and not denyed, it was concluded that he should
 “ make publick repentance in sackcloath three severall Sundays, one in
 “ the Kirk of Edinburgh, another in Hallyroodhous, and the third in the
 “ Queen’s Colledge, or St. Cuthberts Kirk, humbly confessing his offenses
 “ and slander, asking the eternall God and his Kirk pardon for the same,
 “ and for this purpose the Assembly ordeaned Mr. James Melvil and
 “ Mr. Andrew Simson to pass to him and admonish him in the Kirk’s
 “ name, to underly and perform the said injunction, and to begin on
 “ Sunday next to come, in the Kirk of Edinburgh, and thereafter in the
 “ other two Kirks successivly, under pain of excommunication.” And
 next day, Session 7, when by their commissioners to him, they found
 no ground to expect any present compliance, the Assembly extend their
 act in this tennor. “ Forasmeikle as Alexander, Bishop of Galloway,
 “ after his compearing before this Assembly at one time, was diverse times
 “ thereafter summoned personally, and at his lodgings, to have compeared
 “ before this Assembly to have answered further to things that wer to
 “ be laid to his charge, and to have received the injunctions of the Kirk
 “ for satisfaction of his offence, and slander given by him, being often
 “ called and not compearing, the whole Kirk in an voice decerned the
 “ said Mr. Alexander to make publick repentance in sackcloath, upon one
 “ Sunday in the Kirk of Edinburgh, upon another in Hallyroodhouse,
 “ and the third Sunday in the Queen’s Colledge, or St. Cuthberts.
 “ Therfor the whole Kirk presently assembled commandeth Mr. Rodger
 “ Gordon, minister att Whithern, to admonish the said Mr. Alexander
 “ Gordon, Bishop of Galloway, in the Cathedrall Kirk of Quhitern, upon

The Assem-
 bly’s sentence
 against him.

“ a Sunday in time of public preaching, to resort to the said Kirks of
 “ Edinburgh, Hallyrood-house, and Queen’s Colledge, respective, and
 “ ther fulfill the forsaid injunctions, betwixt the day of the admonition,
 “ and the 20 of the moneth of September next to come, with certification
 “ to the said Mr. Alexander, that if he do not, the Kirk commands the
 “ minister of Edinburgh or Hallyrood-house, to proceed to excommuni-
 “ cation against him, and to publish the same in the two said Kirks, and
 “ in other Kirks, as shall be thot expedient ; and ordeans the said Mr.
 “ Rodger to send this present ordinance duly execute under his subscrip-
 “ tion, before the said 20 of September forsaid, again unto the Kirk of
 “ Edinburgh, as he will answer again to the Generall Assembly for his
 “ obedience.”

Procedure As-
 sembly, Agust,
 1574, against
 him.

P. 12.

I meet with no more about the Bishop, till the Assembly which
 “ met in Agust, 1574, when, Session 6, “ A complaint is made
 “ upon Mr. John Brand, minister of Hallyrood-house, that he had not
 “ pronounced sentence of excommunication upon Alexander, Bishop of
 “ Galloway, conform to the Act of Generall Assembly made before. It
 “ was statute and ordeaned that the said John proceed against the said
 “ Bishop and pronounce the sentence of excommunication against him, if
 “ the Bishop compeared not, betwixt and Lambass next, and satisfy the
 “ said Kirk, under the pain of the deprivation of the said John of his
 “ office, in case he failzie therein.”

Bishop Gor-
 don compears
 before the As-
 sembly, March,
 1575, and gives
 verball answers
 to his accusa-
 tion, with the
 Assembly’s sen-
 tence,

At the next Assembly, March, 1575, the Bishop saw proper to
 compear and give in a supplication, and their deliverance, as Mr. Calder-
 wood gives it, stands thus. “ Anent the supplication given in by Alex-
 “ ander, Bishop of Galloway, desiring of the Generall Assembly that he
 “ may make a satisfaction in any Kirk commanded by them, without sack-
 “ cloath, and namely, within his own jurisdiction : seing that by reason of
 “ his non-compearance before them he was ordeaned to be excommunicat,
 “ then being at the horn and unable to compear, as the same at
 “ lenth bears ; the said Alexander removed out of the Assembly, the
 “ bretheren after long disputation, whither the said decreet ought to be
 “ satisfied notwithstanding of the alledgeance of horning, or if he should
 “ be heard notwithstanding of the decreet given against him, to answer to
 “ the accusations which of before wer laid to his charge, found in respect

“ of the alledged impediment of horning, that once yet he should answer to
 “ the said accusations. And being called in to the Assembly, the par-
 “ ticular heads of accusation conteaned in the Books of Assembly being
 “ read in his presence, he answered to every accusation orderly. And
 “ to the first part, that he was compelled by authority that then was, to
 “ accept the ministry and called by the flock then present. To the second,
 “ he grants he preached the Queen’s authority to be lawfull, and pleads
 “ the Pacification. To the third, that he made prayers for her, and
 “ otherwise would not have been suffered to preach. And as to the con-
 “ demning and accusing the ministers, denyeth the same as also the fourth
 “ accusation. And as to the fifth, answered, that he, with certain others,
 “ in the first Regent’s time, in Parliament protested that in case the
 “ Queen were set at liberty, that their promise and faith wer freed.
 “ And denyeth the sixth accusation, with protestation to the Assembly,
 “ that they would have some consideration of his case, seing in God’s
 “ presence he damnes his former offences. He being removed out of
 “ presence; after deliberation and long reasoning upon the whole circum-
 “ stances and estate of the matter, with consideration of my Lord Regent’s
 “ request made in his favours, the bretheren ordeaned the said Bishop to
 “ appear before the Kirk of Hallyrood-house, without sackcloth, upon
 “ Sunday next, and to come in presence of the congregation therin con-
 “ veened, humbly to confess his offences, and ask the eternall God
 “ mercy.”

It seems the Bishop subjected to the appointment, for in the next Assembly, Agust, 1575, “ Alexander, Bishop of Galloway, presented to
 “ the Assembly the tennour of his satisfaction, decerned to be performed
 “ by him and the decreet of the bretheren, and desired to know if he had
 “ satisfyed the sentence presented by them. The Assembly found it
 “ satisfyed and fulfilled in all points, according to the contents therof.”
 In the nixt Session the Assembly found that the continouance of Com-
 missioners in their offices for a long season might induce ambition and
 inconveniencys, and resolved yearly to change them, where fitt persons
 could be had. And Mr. John Duncanson, minister of the King’s House
 is continoued commissioner for Galloway till the next Assembly. And
 the Assembly exhorts the Bishop of Galloway to help the said Mr. John

Which he
obeyes.

when he comes in the country. And in the sixth Session of that same Assembly, the Bishop desires the Assemblys resolution, " what is meant " by them, by his suspension ? whither he be suspended from all preaching of the word of God, as from all commission within the Kirk ? The " Assembly declare, that no fault they will find, that he will preach truly " the word of God, albiet he stand suspended from commission of visitation ; alwise exhorts him to concur and help the Commissioner of " Galloway in his visitation, for keeping good order and discipline within " these bounds."

This is all I have observed about him. I suppose by this time he was

⁵ See Note E. pretty aged, and lived not very long after this. ⁵

December 23, 1729.

COLLECTIONS

UPON THE

LIFE OF MR. ROBERT PONT,

COMMISSIONER OF MURRAY, LORD OF SESSION, AND MINISTER
OF SAINT-CUTHBERTS KIRK.

COLLECTIONS

UPON THE

LIFE OF MR. ROBERT PONT,

COMMISSIONER OF MURRAY, LORD OF THE SESSION, AND MINISTER OF
SAINT-CUTHBERT'S KIRK.

THIS worthy person made such a figure in the Church for upwards of forty years after our reformation from popery, and bore such a share in the Colledge of Justice, that I am surprised to find so lame accounts of him in our historians. Neither Spotswood nor Calderwood give us the least hints of him, save when he comes in as bearing a share in the transactions they are narrating. There is the more need I collect what I can glean up concerning him, which will be far from such a distinct account of him as I would chuse to give, had I materials for it.

Nothing has come to my hand as to his parentage and education.¹ I know no considerable families of this surname in Scotland. There have been persons in Holland of a name very near this, who made some figure in Holland and Germany; and in France I find this surname is pretty common. It may be not improbable that he might be of a French extract. His parents, tho' perhaps of no great rank, have given him liberall education; and considering his after eminency in the Law, and that branch of study was not much taught in Scotland, we may suppose he had in his younger years forraigne education, and that he came home at, or soon after

March 11,
1726.
Reasons of
writing Mr.
Pont's Life.

His educa-
tion.
¹ See Note A.

the Reformation, or a litle before, and heartily fell in with it, for I find him in our Assemblys very early.²

² See Note B.
Mr. Pont
signes the order
of excommuni-
cation penned
by Mr. Knox,
1561.

Mr. Calderwood upon the year 1561 brings in Mr. Robert Pont as being one of the subscribers of *The Order of excommunication and publick repentance*, which was afterwards printed by order of the Generall Assembly, June, 1571; and it stands in our old printed copys of the Book of Common Order. I am ready to think this *Order of excommunication* was not agreed upon fully, till some years after; it may be the substance of it might be concerted 1561, when severall things of this nature wer concerted. The subscribers are Mr. Willock, Mr. Craige, Mr. Pont, Mr. Row, Mr. David Lindsay, Mr. Christison, &c. The paper itself was formed by Mr. Knox, and it may be the year upon which Mr. Calderwood brings it.

1562. He
is appointed to
preach at Dum-
blain.

The paucity of ministers was very great for some years after the Reformation, and therfor the Assemblys were obliged to parcell them out in the different parts of the Church for some moneths, half a year or the like, wher their labours wer most necessary. Thus I find by Calderwood's account of the Generall Assembly, June 1562, That "James Greg was appointed to assist the Superintendent of Glasgow till Michaelmass, and then to preach in the Kirks belonging to the Lord Areskine. Mr. George Hay, the Superintendant of Glasgow, Mr. Robert Hamiltoun, minister of Mauchline and Whittern, wer appointed to preach in the unplanted Kirks of Carriet successively, one after another monthly, till next Assembly. Mr. James Pont was appointed to minister the word and sacraments in Melros till next Assembly. Mr. Robert Pont was appointed to minister till the next Assembly at Dumblain. The rarity of ministers, adds Mr. Calderwood, and the greatnes of the harvest required at this time such a kind of supply and help."

Minister of
Dunkeld, Dec.,
1562, and lited
to be Superin-
tendant.

In the Assembly which convcened at Edinburgh, December, 1562, Mr. Robert Pont is named minister of Dunkeld. Mr. Calderwood's words are "for planting the Kirks in the shirriffdomes of Dumfreice, "Galloway and Nidsdail, and the rest of the west dales, the Assembly "nominat in lites for the Superintendantship Mr. Alexander Gordon "called Bishop of Galloway, and Mr. Robert Pont minister of Dunkeld, "and ordeaned edicts to be set forth for the admission the last Lord's "day of Aprile," as stands more fully on Bishop Gordon's Life. In

consequence of this, I see in the fourth Session of this same Assembly, Mr. James Foulis is appointed for Dunkeld. This matter falls in again next year.

The next hint I meet with about him is, that in May 1563, he was put upon the lite with Alexander Gordon once popish Bishop of Gallo-way who had struck in with the Reformation to be Superintendant of Dumfreice and the South, of which notice is taken on Mr. Knoxes life. Mr. Knox at the desire of the Nobility and Gentry of that country, and by order of the Generall Assembly went in to Dumfreice to ordean a Superintendant there upon the people's choice; and took in Mr. Pont with him and left him with the master of Maxwell for some time, that his conversation and doctrine might be better known to the inhabitants, and left all concerned to chuse either Mr. Pont or the Bishop, as far as I can observe, thò indeed we have not particular accounts of this matter. Mr. Pont was not chosen, but this shoves how much Mr. Pont was regarded by Mr. Knox and the ministers, when nominat so early for a Superintendant.

Whither it was while he was in that country or afterwards, I have not the particular date, but it was sometime that summer, Mr. Pont was attacked by on Captain Lauder, who struck him in the head with a weapon and wounded him sore. This Mr. Knox takes notice of in the letter he wrote this year to the professors of Religion, October 8. for which he was bròt to trouble in these words: "The adversaries of Christ Jesus holy Evangell have boldned themselves and publickly done many things odions in God's presence and hurtfull to Religion. The blood of some of our dearest ministers hath been shed without fear of punishment or correction craved by us," where we may again observe the high esteem Mr. Knox hath for Mr. Pont, and that its probable Captain Lauder was a Papist, and thus abused Mr. Pont for his preaching and standing by the truth, and exposing the abominations of Popery. The Lord preserved him in this eminent hazard of his life, having much and long service in view for him.

By the Assembly 1563, he is appointed Commissioner of Murray, Inverness and Bamf, and in December he declares he had travailed there but could do litle for want of the Irish tongue.* It may be, when thus

1563, he is
on the lite for
Superintendant
of Dumfreice
and the South.

That same
year he is mal-
treated by Cap-
tain Lauder.

P. 2.
1563 and
1564, he is
Comissioner of
Murray.

* This sentence has been inserted by Wodrow after the rest of the paragraph had been written.

persecuted in the South, Mr. Pont removed to the North wher ther wer very few ministers as yet planted. Within a litle we shall find him Commissioner of Murray, and, thò its only conjecture, we may suppose such a man as he very proper to be sent to the town of Elgin and that country. Thus, in the next Assembly, June, 1564, I find him named among the ministers in the North, and the Superintendants, Mrs. John Row, George Hay, Robert Pont, Christopher Gudman, and severall others are appointed to meet and conferr anent the causes apperteaining to the jurisdiction of the Kirk and report. But the Report I do not find, the Registers of the first Assemblys being very brieft, and conteaining short hints only. At that Assembly its ordeaned, [that] no minister leave his flock and pass to another congregation without the knowledge of his flock, Superintendant, or whole Kirk. And at the next Assembly to which the report perhaps was to be made upon the tryall of the Commissioners, it was desired that those of Galloway and Orkney should be demanded whither they judged in their consciences that they might duly exercise both the office of Superintendant and that of a Lord of the Session. This was waved till the end of the Assembly, and if they could not overtake it, it was to be referred, with other questions the Assembly could not overtake, to the Superintendants and ministers of the bounds who wer to report with their reasons in write to the next Assembly. That same Assembly also find proper to interchange the bounds of the Superintendants visitation. He of Angus is appointed to visit Galloway, Nidsdale, Carriect, Kyle and Clidsdale; the Superintendant of Lothian to visit the bounds of Angus and Mernis; he of the west to visit Lothian, Merce and Tiviotdale, and Mr. Knox to visit Fife, Strathern, Gowrie, and Monteith. Whither these wer the fruits of this Committy about the Kirks jurisdiction I do not determine, but they are not unworthy of our observation.

Named to
revise the an-
swer [to] Bul-
lingers Book
on ministers
habits.

Upon Mr. Row's Life I have noticed that the Assembly appointed the Bishops of Galloway and Orkney, who are so called because of their enjoying the benefices, and who seem to have been Lords of Session, Mr. Robert Pont, Mr. Row and others, to revise and consider Mr. William Ramsey's answer to Bullingers Book *on the habits of preachers*. These wer named as being supposed most seen in the Cannon law, and so most proper for this work, and at this time Mr. Pont was highly valued for his skill in the Lawes both Cannon and Civil, and all other branches of valuable learning.

Thus I find he translated the Confession of faith of the protestants in Zurich, and the Assembly approve of it and order it to be published. The account of this followes in the Assembly's records, and I give it with Mr. Calderwood's remark on it. "The Assembly being advised with the interpretation of the Confession of the Kirk of Zurich by Mr. Robert Pont, ordeaned the same to be printed together with an Epistle sent be [to?] the Assembly of the Kirk of Scotland approving the same, providing a note be put on the margine, wher mention is made of the remembrance of some holydayes." Mr. Calderwood adds, "This Confession was penned by the pastors of Zurich, and is otherwise called the Latter Confession of Helvetia. It was allowed and subscribed not only by the Tigrines themselves and their confederats of Bern, Shaphusia Sangallia, Milan and Vienes, but also Geneva, Savoy, Polonia and Hungaria. In this Confession, superiority of ministers above ministers is called an human appointment; confirmation is judged to be a device of men which the Kirk may want without damage; baptisme by weemen and midwifes is condemned; item, prolix and tedious publick prayers hindering the preaching of the word; canonicall hours, *i. e.* prayers to be chanted and often repeted at set times, as the popish maner is; heaping up of ceremonies in the Kirk to the prejudice of Christian liberty and observation of Saints dayes. But this Assembly would not allow the dayes dedicat to Christ, the Circumcision, Nativity, Passion, Resurrection, Ascention and Pentecost dayes, but took exception against that part of the Confession. Our Kirk was so far from observing holydayes dedicated to Christ that they held their Assembly oftentimes on the 25th of December."

He translates the Helvetic Confession. The Assemblys Act about this, excepting holy days.

P. 3.

In this dawning of our Reformation multitudes of questions touching Scandalls and other incidentall cases, which fell in betwixt Assemblys, came before the Generall Assembly, and as we had yet no judicatorys almost, save Kirk Sessions and Assemblys, for ther wer few provinciall Synods yet set up, and presbitrys wer not constitute for severall years, the most learned men wer generally appointed to decide questions and report to the Assembly. Thus the Bishops of Galloway, Orkney, the Justice Clerk, Mr. Robert Pont, William Ramsay and others, are appointed by this Assembly to answer questions.

He is appointed to answer questions.

His work in
the Assembly
1568.

³ See Note C.

When Mr. Pont was made Commissioner of Murray I have not observed, probably it was next year 1567,³ if not before. But in the Assembly, July, 1568, “Mr. Robert Pont is continued Commissioner for “visitation of Murray untill the next Assembly, notwithstanding that he “desired to be placed in a particular congregation.” In this Assembly he is one of those who are appointed to revise, *The order of excommunication*, penned by Mr. Knox at the desire of the Generall Assembly, and indeed he is named upon all their bussines of any moment and difficulty.

1569, employed to deal
for restoring
the collectors of
the Kirk, and
desires to be
disburdened of
his Commission
for visitation.

In the Assembly, February, 1569, “Mr. Pont Commissioner for “visiting the Kirks of Murray, Mr. Adam Heriot minister of Aberdeen, “Mr. George Hay minister of Ruthven, and others from the north are “appointed to deal with the Earl of Huntly, and require him to restore “the collectors of the Kirk in his bounds to their office, and in case of “his refusall and contumacy after due admonitions, any two of them “are ordered to proceed to excommunication.” That same Assembly in their fifth Session, in their articles to the Regent complean of the generall disobedience given to the Collectors of the Kirk named by the Generall Assembly, and particularly crave that remedy may be provided against the oppression of the Earle of Huntly and others who have removed the Collectors of the Kirk, and tyrannously placed their own; that, in case of the said Earles contempt of their sentences, the Assembly without offence of his Grace may appoint their brother Mr. Robert Pont minister, wher his labors may be more fruitfull than they can be for the present in Murray. In the next Assembly, July that same year, Mr. Andrew Hay, Commissioner of Clydsdale, and Mr. Robert Pont, Commissioner of Murray, desire the Assembly may disburden them of their Commissions wherin they have travelled diverse years bygone. It seems Mr. Pont’s greivances continued in the north, and he seems not to have been easy till he was brôt south. However the Assembly go not into the petition. Men wer yet ill to be got to fill their room.

Moderator
of the Assembly,
1570.

Mr. Pont is chosen Moderator to the Assembly which convened, July, 1570, after the accession of the Earle of Lennox to the Regentship. In the Laird of Duns Life it has been remarked, that about this time the Earle of Morton began to lay his designes for bringing in Tulchan Bishops. At this Assembly Mr. Pont and Mr. Hay renew their desire to be

disburdened of their office of commissioners, but wer requested to continow till next Assembly. This Assembly give power to Mr. Robert Pont commissioner of Murray, with the assistance of the Kirk of Elgin, to proceed after due admonitions to excommunicat Patrick Bishop of Murray. P. 4.

He continowes in the oversight of the bounds of Murray next year 1571, as appears from a letter Mr. Calderwood hath preserved direct to him in the close of that year, which is worth the inserting, because it contains an authentick account of the hardships the ministers in the north at this time wer brôt to by the Earle of Huntly and others, who, during the present civil warrs, adhered to the Queens party; for their firm attachment to the Kings authority, and his Regents; and so it followes:

“ Right Honourable, after salutations in the Lord Jesus; this present is to advertish you that the bretheren of the ministry within the bounds of your commission are rigorously entreated, for upon the 13 day of this instant December, a certain number of them wer called before the Laird of Auchindoun and the shirreff of Murray and their deputs, in a lieutenmant court, to underly the law, for treasonable defection from the Queens authority to the Kings, and for giving obedience to him and praying for him and his authority; and for breaking and contraveining of the Act of Parliament, made by the Queens commissioners, charging all the Superintendants, commissioners, and ministers to pray for the Queen, her authority and lieutenmants in their publick sermons and prayers; and for blaspheming of her Highnes Majesty in calling her an Idolater, Adulterer, Murtherer and Jesabel. Some have dressed and compounded privatly, as this bearer will show you, others are fugitive, some are come in will, which will is declared to be this, to renounce the Kings authority and give obedience to the Queen and her authority in times coming, and to pray for her and her lieutennants in their publick prayers; the which they have promised and found caution to do. The Parson of Duffus, Robert Keith, my self, and some others, desiring continouation untill the time we might consult with you, the minister of Aberdeen and other learned men among whom ye resort, they have forced us for the very fear of our lives, instantly to find soverty and cantion to underly the law in Aberdeen the 10 of January next. Wherefor we desire you most effectuously, as you tender the preservation of our

Letter to him,
Dec. 15, 1571,
upon the oppression of ministers in the north by the Earle of Huntley.

“ lives, and as you would behave yourself, if you wer in our place, to let us
 “ have your advice and consultation and of the faithfull bretheren in these
 “ parts, how and in what manner we shall behave our selves for eshewing
 “ of these inconveniencies ; for one of two things are offered unto us, to
 “ wit death, if we be convict of treason, or else obedience of the Queens
 “ authority, and praying for her. Referring all other things to your good
 “ answer anent the premises, with the next faithfull person that cometh
 “ betwixt; and if need be, that ye hire and send to us upon our expenses
 “ with all expedition, the which we doubt not but ye will doe, as our
 “ lippening is in you. And the Lord God have you in his protection.
 “ From Elgin, the 15 of December, 1571.

“ Your Brother in Christ at command,

“ ALEX^r WINCHESTER, minister at Elgine.”

I wish we had Mr. Ponts answer which no doubt he would send in such a choak, but I find no more relative to this in our historians. Mr. Calderwood only nottices, “ That sundry others wer forced to leave the
 “ country before, because they would not pray for the Queen but none
 “ wer summoned by order of any law till now.” Indeed no releife could be soon sent them, and their friends could do litle but threaten reprizalls, and advise them to fly for their safety.

His share in
 the convention
 of Leith, 1571.

P. 5.

We have seen upon the Laird of Duns Life, that Mr. Pont was not only a member of the convention at Leith, who on the matter brôt in Tulchan Bishops, but was named upon the comitty, who with as many of the council formed the heads and conclusions concerning [the] Policy of the Kirk, wherby the Earle of Mortoun got his designe. The best of men are ready, especially by favours, to be byassed, at least to consider the light and arguments mostly upon the one side of a question wher their freinds are. Under this view, the Earle of Mortoun proposed the taking in Mr. Pont, to the Colledge of Justice, especially now that he was not fixed to any particular charge, and ther was scarce access, throw the prevalency of the Queens faction, to his office of commissioner in the north; this, it seems, Mr. Ponts light led him to comply with, providing the Assembly allowed him, and at this corrupt and picked Assembly, in the hurry of a civil war, the Earle of Mortoun soon prevailed for an allow-

ance; and therby he both hoped to make Mr. Pont from gratitude (if that may be so termed that leads to any wrong thing,) to come in to his designe of getting the Kirk benefices at his disposall; and, having once a dore opened for confounding the ecclesiasticall and civil offices together, he hoped to [carry] through his designes the better, and have the more baits to tempt ministers of any eminency with, thò the convention seems in part to provide against this; but after a wall is broke, its very hard to hinder the enimie to enter at the breach. The Act of Assembly will speak best for it self.

“ In the fifth Session, January 17, 1572, compeared Mr. Robert Pont commissioner of Murray, who declared in the Assembly, that he throw the troubles raised in the north, wherthrough, as the bretheren wer not ignorant, he was not able to travell there in his commissionarie: In respect wherof he demitted his commission *simpliciter* in the Kirks hands, requesting them to provide such as they thòt might profite in the said country, that it might not be destitute of a visitor. And further this convention understanding that my Lord Regents Grace and council wer desirous that the said Mr. Robert should accept the place of one of the senators of the Colledge of Justice, which he in no wise would accept without advice of the Kirk; therfor the whole Bretheren assembled gave licence to the said Mr. Robert to accept and use the said place of a senator in the said Colledge what time he shall be required therunto, providing alwise that he leave not the office of the ministry, but that he exerce the same, as he shall be appointed be the Kirk: and that this their license to the said Mr. Robert, be no preparative to any other minister to procure such promotion, without the Kirks advice had of before and license obtained therunto.”

Act of that Assembly, or convention, permitting him to be a Lord of Session, January 17, 1572.

This corrupt Act confounding the civil and ecclesiastick offices in one man's person, contrary to Scripture, precept, pattern, and practise, was what might be expected from such a meeting, as could swallow down the Tulchan Bishops. Indeed Prælacy even as exercised in protestant countries, has frequently this unscripturall confusion and mixture of civil and ecclesiasticall offices going along with it; so it was at this time; and the Earle of Mortoun when Regent next year, to prosecute his scheme of bringing us as near real prælacy, for the Tulchan Bishops scarce deserve

Remarks on this. The Assembly next year by their Act refuse to allow other ministers to be made Lords of Session.

the name of proper Prelates, made a motion in the Generall Assembly, March 1573, to get mo ministers made Lords of Session. But the ministry of the Church by this time saw they had already gone too far, and so they flatly refused his desire. I shall give this in the terms of the Records. "Anent my Lord Regents Grace, his desire, touching the placing of some of the learned Ministers to be Senators of the colledge of Justice; the Assembly having at lenth reasoned whither a minister be able to discharge himself of both these vocations, voted throughout, that none was able or apt to bear the saids two charges, and therfor inhibited any minister occupying his vocation in the ministry to take upon him to be a senator, Mr. Robert Pont being excepted, who is one already with advice and consent of the Kirk." Mr. Petry sayes, "That at the next Assembly, Agust, 1583, in the tryall of Bishops and Commissioners, Mr. Robert Pont Commissioner of Murray was accused, that he resideth not there, nor hath visited churches these 2 years, except the 4 cheife. He alledged want of laizour, because he was ordeaned to attend the colledge of Justice; wherupon the Superintendent of Lothian moveth the question, whither it be lawful by the word of God, that the administration of the word and sacraments, and the administration of civil and criminall Justice, be so confounded that one man may occupy two charges; it is answered, its neither agreable to the word of God nor practise of the primitive Church." If Mr. Calderwood or the Records of the Assembly have this, I have overlooked it, and am ready to think that Petry may be wrong in his date, and that this may have hapned before the former Act of Assembly. Mr. Calderwood nottices indeed Mr. Ponts being blamed, but not the proposall of Mr. John Spotswood but [yet he hath] the Act of Assembly therupon, and in the 7 Session I see by the Registers Mr. Pont is desired to continow Commissioner of Murray till next Assembly.

1574, he demitts his being Commissioner of Murray.

In the next Assembly, February, 1574, Mr. Robert Pont, now designed one of the Senators of the Colledge of Justice and minister of God's word, is one of those appointed by the Assembly to form the Articles upon the jurisdiction of the Kirk, to be presented to the Regent, which was the first beginning of the Second Book of Discipline, of which

so much hath been said on many of the Lives of this period; and in the 7 Session, in regard that George Douglas Bishop of Murray is admitted Bishop, Mr. Pont purely and simpliciter demitts his office of Commissionarie, and after this I do not find him any more designed Commissioner of Murray, in the Records of the Assembly, which makes me apprehend his demission was accepted.⁴ Tho those of the Superintendants of Angus, Lothian, and Strathern offered at the same Assembly are not taken off their hand.

Mr. Pont now and for some years after termed Provost of Trinity Colledge,⁵ Mr. James Lawson, as I noticed on his Life, and some few others are appointed by the Assembly, July, 1574, to revise all Books that are printed and published, and the next Assembly he is appointed to consider the case of Mr. Thomas M'Kalzean of Chleichtenhall, [Cliftonhall,] one of the Lords of the Session, as hath been hinted in the last cited Life, and in the Assembly after, Agust, 1575, he is chosen Moderator, when some further steps are taken in the Second Book of Discipline, and for reforming severall corruptions creeped into the Church. Upon Mr. Smeton's Life⁶ I have taken notice of his share this year in Arbuthnot's Edition of the Bible; he was one of the overseers appointed by the Assembly, and formed the callandar which was prefixed to it, and his learning and skill in Chronology and History and the Learned Language put him in case for this.

He had a considerable share in forming the Second Book of Discipline with the rest of the ministers whose Lives I have already writt, and some others, and from the Records of the Assembly, Aprile 1, 1577, which mett to revise and examine that necessary and usefull work, I shall here set down what I find concerning the different persons who formed this Book, that the Reader may have them all in his eye at once to whom we are indebted for this important composure, tho at this distance I cannot determine the particular heads committed to each of them. "Forasmeikle
"as the cheife and principall argument to be entreated and reasoned in
"this convention generall is the Policy of the Kirk, reserved in their last
"Generall Assembly to be handled and disputed in this; the Bretheren
"deput to the conceiving and forming the heads therof being called to
"give an account of their diligence and industry in this behalf, they

⁴ See Note D.

Mr. Pont and others appointed, 1574, by the Assembly to visit all Books that are published.

⁵ See Note E.

⁶ See Note F.

His share with that of other ministers who composed the Second Book of Discipline, 1577.

P. 7.

- “ presented the Heads of policy, as they had made partition therof at their
 “ Assembly in Stirling, with the judgment of the labours of the whole
 “ Bretheren taken therein. Therafter was presented the heads penned by
 Mr. John Row. “ Mr. John Row and Mr. James Lawson, which wer read, and nothing
 Mr. James Lawson. “ again said except one of the said Mr. John his articles referred to
 “ further disputation, all men being required that had good reason or
 “ argument to propone in the contrair, to alledge the samine, or if they
 “ would not publickly reason upon the said head to resort to the said
 “ Commissioners wher travell should be tâne to satisfy them, leaving them
 “ liberty also, before the heads be recollected and ordered in one body, to
 “ make argument as they think good against the samin. The head given
 The Laird of Dun. “ to the Laird of Dun according to the distribution forsaid, being thôt
 “ be him obscure and mystick, the Assembly desired him to conferr
 “ with the remanent Commisisoners, the morn at 7 hours, to the effect
 “ he may be resolved of the meaning therof. The remanent heads being
 “ prolix and amply writt by the commissioners wer thôt good to be con-
 “ tracted in short propositions, and conclusions to be presented to publick
 Mr. Andrew Hay. “ reading therafter. Session 2. The head committed to Mr. Andrew
 “ Hay, read in face of the Assembly, nothing was opponned against the
 “ same, except the article anent the suspension of ministers referred to
 David Ferguson. “ further reasoning. The part of the policy given to David Ferguson
 “ read sicklike, the 18 article was referred and nothing spoken be
 “ any man against the rest. The parts committed to Mr. Andrew (either
 George Hay. “ this or what is above must be a literall error for Mr. George) Hay,
 Robert Pont. “ Mr. Robert Pont, Mr. David Lindsay, nothing alledged in the contrair;
 David Lindsay. “ the heads committed to Mr. John Craig read, some things wer desired
 say. John Craig. “ to be contracted and others referred to further reasoning. Session 3.
 “ The whole labours of the Bretheren tâne up upon the matter and argu-
 “ ment of the Policy being wholly read in publick audience of the Assem-
 “ bly, it was thôt expedient and good that their whole travels and work in
 “ this matter being now dispersed shall be revised and perused be some
 “ bretheren and digested and disposed in good and convenient order, to be
 “ therafter presented to the Assembly, and for that effect the Assembly
 Mr. Andrew Melvil, &c. “ appoints their Bretheren Mr. James Lawson, Mr. Andrew Melvil, Mr.
 “ John Craig, and Mr. George Hay to conveen together and appoint hours

“and place therto, and to remain therat while the matter be brôt to an end, and in the mean time, if it please any man to reason with them in the matter, to have access therunto.” From such men, and after so much care and exactnes, certainly we may expect an excellent draught. But to return to Mr. Pont.

As he had his share in this good work, so after the Assembly had gone throw it, with the rest who framed it in the Assembly 1578, he is upon all the conferences which are appointed with the councill upon that subject; the particulars of which I need not en[ter] upon, since they have been hinted at in Mr. Lawson, Craig, Row, the Laird of Dun, &c., their Lives, only I shall here from Mr. Calderwoods MSS. give an account of Mr. Pont and the other commissioners from the Assembly, their actings at the Parliament at Stirling, July 15, 1578. After the King had taken the government in his own hands, yet he was under the Earle of Mortoun managment for a litle, who was no freind to the Book of Discipline, and therfor the ministers had litle at this time but dilators.

“Mr. Pont and the rest named by the Assembly presented the Book of Discipline with a suplication to have it ratified, which the King received graciously, and remitted it to the council. The council appointed severall of their number to meet with the ministers and others named by the Assembly, and at their conference they agreed to the whole except 4 articles, which by the last Assembly wer reasoned again, explained, and in somthings altered and made more plain. At this Parliament the Book of Discipline was read over, and remitted to the Lords of Articles. Mr. Robert Pont and the rest of the commissioners from the Assembly, 12 in whole, waited on the Lords of the Articles and earnestly desired the Book might now be ratified in Parliament. The Lords of the Articles alledged the matter was weighty, and required a long time of consultation and concluding, and said the whole body of the Parliament could not stay so long; and therfor thôt good to deput and nominat some who, receiving power from the Parliament to conclude the matter, should convene at a certain day to that effect. The Commissioners of the Kirk took this answer for a shift or rather a refusall, because the Book was admitted before by those, who wer appointed to convene in Edinburgh to that effect, except four heads

Mr. Pont and the rest who framed the Book of Discipline, their actings at the Parliament, July, 1578.
P. 8.

“ which required not longsome disputation. The Bishops of Saint Andrews
 “ and Aberdeen (Adamson and Cunningham,) gave occasion to this
 “ shifting answer from the Lords, for they denyed that they concluded
 “ any thing in the matter, but said they only conferred and disputed.
 “ The Commissioners from the Assembly desired so much of the Book
 “ of Discipline as had been concluded might be confirmed and established
 “ as a law, and persons to be named to reason on the rest, yet that was
 “ not granted. The Earle of Mortoun proposed that the most substan-
 “ tiall matter and points, might be gathered out of the Book to be
 “ authorized as lawes. To whom they answered that the shortnes of
 “ time and lack of commission to that effect could not suffer them so to
 “ do. After delay from day to day, upon the last day the Earle of
 “ Buchan, Lord Ruthven, and the Bishop of Glasgow, wer appointed to
 “ conferr with the commissioners of the Kirk, desiring them to chuse 12
 “ out of which the Parliament might chuse 6. The commissioners
 “ answered they could not agree to that, seing they had no commission,
 “ and that it became the Assembly to collect out of the Books of God, a
 “ Discipline and Policy Ecclesiasticall to propound it to the Prince
 “ and desire it to be confirmed as a law proceeding from God; and that
 “ it became not the Prince to prescribe a policy to the Kirk, and if they
 “ would appoint any they would not consent to it: and at their departure
 “ exhorted the Lords to the same. The Lords took it in evil part, and
 “ thôt the King might call whom he pleased, and make a law with their
 “ advice to stand, and so they chused 27 persons, Earles, Lords,
 “ Barrons, Burgesses, Bishops, Ministers and others. Earles—Mortoun,
 “ Lemox, Buchan, Glencairn; Lords—Boyd, Ochiltrea, Ruthven; Bishops
 “ —Saint Andrews, Aberdeen and Glasgow; Barrons—Capringtoun
 “ and Whittinghame; Burgesses—Tutor of Pitcurr and John Arnot;
 “ Clerks—Mr. George Buchanan, Mr. Peter Young, Mr. Alexander
 “ Arbuthnot, Mr. Clement Litle; Ministers—Mr. James Lawson,
 “ Mr. David Lindsay, John Row, William Christieson, John Duncanson
 “ and Mr. George Hay, to conveen, reason, and conclude, they or at least
 “ eight of them conjunctly, and their declarations to be reported and
 “ considered in the next Parliament. Mr. Calderwood adds, its to be
 “ remarked in Mr. Patrick Adamson Bishop of Saint Andrews, that

P. 9.

Mr. P. Adamson's
 previation about the
 Book of Discipline.

“ when the Book of Policy was agreed upon in the Assembly, and diverse
 “ of the Bretheren, as namely, Mr. Andrew Melvil and Mr. Andrew
 “ Hay, desired the same might be subscribed by all the Bretheren, Mr.
 “ Patrick Adamson said, Nay, we have an honest man our clerk to sub-
 “ scribe for all, and it wer to derogat from his faithfulness and estimation
 “ if we should all severally subscribe. Well, said Mr. Andrew Hay, if
 “ any man come against this or deny it hereafter, he is not honest ; and
 “ to Mr. Adamson he said before three or four, There is my hand, Mr.
 “ Patrick, if you come against us hereafter, consenting now so throughly
 “ to it, I will call you a knave, thô never so publickly ; Mr. Patrick received
 “ the condition, but at the presenting of the conclusions before the
 “ Regent and counail, the Regent asked Mr. Patrick if he had assented
 “ therunto, he denied and said he refused to subscribe, wherupon the
 “ Councill denied their approbation. When Mr. Andrew Hay had
 “ enquired at sundry honourable counsellours, one of them laid the blame
 “ on Mr. Patrick Adamson who was coming by ; in the meantime Mr. Hay
 “ went to him and leading him by the hand he brôt him to the counselor,
 “ and before him said to Mr. Patrick, O ! Knave, Knave, I will crown
 “ thee for the King of all Knaves. Siclike he denied at this time that
 “ they had agreed or concluded any thing.” These passages about the
 Book of Discipline I have given at the more lenth, because I have not
 mett with them any wher save in Calderwood.

Next year 1579, I find Mr. Pont named with some other ministers
 to joyn in commission with such as the King will nominat, for visiting
 the University of Saint Andrews and consider their state, the foundations
 and charters of their colledges, and take order with and redress corrup-
 tions and faults.

It would appear that Mr. Ponts being a Lord of the Session and at
 the same time a minister of the Word was unsatisfying to severall ministers
 and others. Therfor Mr. Pont himself moved the matter to the Gen-
 erall Assembly which convened, July, 1580, and desired a determination
 theranent. Accordingly Session 9, the Assembly registers bear,
 “ Anent the proposition moved by Mr. Robert Pont, upon appearance
 of some offence, as he thôt, conceived by some bretheren by reason of his
 office in the Colledge of Justice, craving the judgment of the Assembly,

Mr. Pont
 named to visit
 Saint Andrews.

1580, Mr.
 Pont desires
 the Assemblys
 judgment of
 his case as a
 minister and
 Lord of Ses-
 sion.

whither he should leave the same or not, seing he neither entered therunto without their consent, nor would continow therein without the samine: the Assembly continued their reasoning on this matter, and their judgment therein till next Assembly." I do not find this matter much insisted on afterwards. Difficultys did grow, and the Assemblys had other kind of things to consider.

Moderator,
Assembly 1581,
when the divi-
sion of Presbi-
trys was agreed
to.

At the Assembly which convened at Glasgow, Aprile, 1581, Mr. Robert Pont is again chosen Moderator. At this Assembly, the King sent the Laird of Capringtoun as his commissioner, and ther seemed to be a tollerable understanding betwixt the King and the ministers, which in a litle time was broke by Captain Stewart afterward Earle of Arran, and D'Aubigny Duke of Lennox, their eneroachments; the King promised to hold hand to the discipline of the Kirk, and to countenance the scheme and platt of Presbitrys they wer forming; some zealous and usefull Acts wer made, now lost, as appears, by Mr. Adamsons tearing out the third and fourth Sessions of this Assembly. As Mr. Pont had his share in the Book of Discipline which established presbitrys, so he was chosen Moderator at this Assembly wher the particular division and form of them was agreed upon. The reader will find what was done in the printed Calderwood upon this year, and I shall not swell this work with what is already printed, only the reader will observe that severall alterations wer made in this draught of Presbitrys at first agreed upon; and this church came not fully to end their scheme of Presbitrys till the year 1586, when in concert with the King a new draught was agreed to, which continued, as far as I know, till Episcopacy came in, and, with a few alterations, was standing at the Assembly, 1638. This draught, with the particular parishes in each Presbitry, I have inserted Appendix No. [I.] from the MS. Calderwood, because its not yet published.

Draught of
Presbitrys with
the parishes
App. No. I.
P. 10.

Book of Dis-
cipline approv-
en and ordered
to be registrat
in every Pres-
bitry. Names
of the members
of this Assem-
bly at Glasgow,
1587.

The other thing Mr. Pont was active in at this Assembly was the giving the last and finishing stroak to the Second Book of Discipline; by registrating it in the Assembly books, to remain *ad futuram rei memoriam*, and every Presbitry are ordeaned again to take a copy of it. Mr. Calderwood in his MS. sets down the names of the commissioners present at the Assembly, 1578, when it was first agreed to in this Assembly, and indeed their names deserve to be recorded and may be of use for clearing

some facts in the history of this church, therfor I insert them here.* The commissioners for Lothian, wer the master of Marr, the Lairds of Dundass, Waughtoun younger, Corstorphine, Whittinghame, Carden, Merchinstoun, Hattoun, Broxmouth, Braid, Pilrig, Elphingstoun, Faudonside, Blance, Carberrie.—Commissioners of Towns. For Edinburgh; John Johnstoun, Alexander Clerk, John Adamson, Mr. Clement Litle. For Leith; John Williamson, George Ker, John Litle. For Canon-gate; John Seaton, Alexander Segget, Thomas Hunter. For Stirling; Robert Alexander; Ministers—Mr. Robert Pont, Mr. James Lawson, John Durie, Mr. Walter Balcanquel [Mr. John Davidsonsone?], [Walter] Hay, Mr. James Carmichael, Mr. David Lindsay, John Duncanson, Mr. Andrew Blackhall, James Gybson, Mr. Patrick Kinloch, Mr. Adam Johnstoun, William Sanderson, John Herries, Mr. Thomas Cranstoun, Mr. Thomas M'Gie, Mr. William Strang, Mr. John Spotswood sometime Superintendant of Lothian, Mr. John Bennet, Mr. Andrew Foster, Alexander Foster [?], Mr. James Hamiltoun, Mr. Robert Montgomery, Mr. Patrick Gillespy, David Hume, Mr. Andrew Simson. For Merce; Ministers—Mr. Patrick Gaites, John Clappertoun, Robert French, Mathew Liddel, Mr. Thomas Torie [Storie?]. For Tweddail; the Laird of Black Barronie, the Tutor of Drumayler; Ministers—Mr. Archibald Douglas, Gilbert Hay, Walter Tweedie. For Teviotdale; Mr. Andrew Clayhills. For Annandail and Nidsdail; Roger Kilpatrick of Closburn, Robert Johnstoun of Carsilote, the Laird of Gairlies, the Laird of Johnstoun, the Laird of Auchinglass; Ministers—Mr. James Beaton, Mr. Archibald Meinzie, William Taylour. For Cliddesdale, Renfrew and Lennox; John Shaw of Greenock, John Semple of Fulwood, Hugh Cunningham of Wattersone, James Stirling of Keir, the Laird of Lee, the Laird of Dunrod, the Laird of Calderwood; Ministers and Professors of Universitys—Mr. Andrew Melvil, Mr. Thomas Smeton, Mr. Andrew Polwart, Mr. David Weemyse, Mr. Andrew Hay, Mr. Patrick Sharp, Mr. Patrick Blackburn, Mr. James Melvil, Mr. John Houson, Mr. Thomas Jack, Mr.

* The persons here mentioned were not present at any single Assembly, but at all the Assemblies from April 1578 to 1581. "Some of them," says Calderwood, "wer present at all thir Assemblies, others at some of them." MS. History, in Bibl. Acad. Glasg. Vol. III.

P. 11.

James Fleeming, Mr. Walter Haddin, Mr. Thomas Lindsay, Mr. Robert Lindsay, Mr. John Davidson, Mr. Patrick Walkingshaw, Mr. Robert Darroch, John Porterfield, Mr. William Struthers, Mr. John Hamiltoun, John Liverence. Commissioners from Glasgow, George Elphinstoun, Robert Stewart, John Grahame. For Kyle, Carriet, and Cunninghame; the Laird of Carnell, the Laird of Careltoun, the Laird of Stair; Ministers—Mr. Robert Wilkie, Mr. John Young, Mr. David Will[Mill?], Mr. John M'Korn, Mr. John Neisbet, Mr. Patrick Primrose, Mr. William Hamiltoun, Mr. James Gregg, James Dalrymple, Mr. John Douglas. For Dumblane; Thomas Drummond, Thomas Smeton, Alexander Segy, Mr. Andrew Young, Mr. William Stirling, Alexander Ferguson. For Fyfe, East and West; the Laids of Colluthy, Killerine, Lundy, Seggy, Abbotshall younger, Reirs, Balfour, Balmoutie, Lœchlevine, Abbotshall, Patrick Kyninmouth; Ministers—Mr. Patrick Adamson, Mr. William Clerk, Mr. Thomas Buchanan, Mr. Alexander Jardine, Mr. John Durham, Mr. Thomas Brown, Mr. Thomas Biggar, John Dykes, Mr. John Edmonstoun, Mr. David Spence, Adam Mitchel, John Burn, John Ure, Mr. George Boswall, Peter Blackwood. For Angus and Merns, the West parts of Gourie; Mr. John Hepburn, Mr. James Melvil, Mr. James Balfour, Mr. Patrick Galloway, William Chrystesone, Mr. John Christiesone, James Anderson, Charles Mitchelson, Mr. Andrew Mill, John Norie[Nevie?], Patrick Bonkil, Alexander Keith, Mr. James Nicholson. For Dundie; Robert Reid, Ritchard Blyth. For Dunkeld, and the Kirks of Saint Andrews, within Strathern and Gowrie; the Earle of Athol, the Earle of Montrose, the Laird of Garntullie, the Barron of Fingask, Patrick Murray of Tibbermure, George Drummond of Blair, the Laird of Cregie, Mr. James Herring, Mr. Alexander Dunmuir, Mr. John Row, Duncan M'Calla, Mr. William Edmonstoun, Mr. William Blass[Glass?]. For Murray; Mr. Patrick Auchinleck, Mr. John Keith, Mr. George Lesley, Mr. Andrew Simson, Mr. John Innies. From Ross and Orkney; Mr. John Ross, Mr. Gilbert Foulis, Mr. George Hay, Commissioner of Caithnes. We have none in this list from Galloway, Argyle, or Aberdeen, and some who wer present are certainly ommitted by some mistake in the transcribing, as the Laird of Dun, David Ferguson,

⁷ See Note G. and some others.⁷

Mr. Robert Pont was very frequently Moderator of our Assemblys, and so when the Assembly met, October, 1583, he was chosen Moderator; the dark cloud came on soon after for two years, and we had no more Assemblys during that time. The Articles and heavy complaints of this Assembly formed by Mr. Smeton have been noticed in his Life. Upon the severe treatment of many ministers and the corruptions brôt in by a corrupt Parliament, May next year, Mr. Pont wanted not his own share in the common troubles of that time. After the hasty passing of the known Acts of Parliament, wherein the liberty of the church was so much impaired, they wer proclaimed at the merkatt Cross of Edinburgh, on Munday, May 25. Mr. Robert Pont and Mr. Walter Baleanquell wer pitched upon by the ministers of Edinburgh and “accordingly,” as Mr. Calderwood tells us, “with ripe advisement, in all good order, the ceremonies and circumstancees of the law duly observed, without any signe of disobedience, Mr. Pont took publick documents in name of the church of Scotland, in the hands of George M’Kieson, before William Archibald, Robert Mark, and diverse others, that they protested against these Acts, in so far as they prejudged the libertys of the Kirk.” Mr. Petry sayes from the Historical Narration, that Mr. Robert Pont, minister of Saint Cuthberts and one of the Senators of the Colledge of Justice, because of the misregard of the church in concluding these, when the Heraulds wer proclaiming them, took instruments in the hands of a publick nottar of his dissenting, and that they wer not oblidged to give obedience to them, which oblidged him to fly and he was deprived of his place in the Session.* Bishop Spotswood gives us the very same account; upon Mr. Craiges Life I have given a large account of the trouble Mr. Pont and others wer brôt to, towards the end of this year, for not subscribing a paper, bearing their assent unto the Acts of Parliament lately passed against the church. Mr. Pont stood stedfast against subscription, and was oblidged to abscond for a good many moneths, till the turn in the end of the next year. I do not find

Moderator
again, 1583.

Protests a-
gainst the Acts
of Parliament
concerning the
church, May,
1584.

Upon which
he is deprived
of his place in
the Session.

* Pont had been deprived of his seat in the College of Justice two days before taking this protest, in consequence of an Act then passed, prohibiting “all persouns exercising functionns of ministrie within the Kirk of God to bear or exerce any office of civil jurisdiction.” Books of Sederunt as quoted in Haig and Brunton’s Historical Account of Senators of the College of Justice, p. 152.

that he was restored to his place in the colledge of Justice; as soon as a dore was opened by the Earle of Angus, and the rest of the Protestant Lords bannished, their return from England, Mr. Pont returned to the exercise of his ministry in Saint Cuthberts or West Kirk beside Edinburgh.⁸

⁸ See Note H.
Mr Ponts letter, November 6, 1585, to the ministers in England.

Upon the happy turn by the return of the bannished Lords in November, 1585, and their acces to the King at Stirling, Mr. Pont last moderator, and the other subscribing ministers, wrot the following letter to their bretheren in England, which I give from the originall in my hands: its thus addressed. "*To their loving bretheren Mr. James Carmichael, Mr. John Davidson, Mr. James Melvil and the rest of the Scottish sojourners there, give these at London in Honie lane, in Mr. Antonie Martines house.*" The letter runs thus, "Breitheren, we salute you hairtilie in the Lord. It has pleasit our God in his gudnes to offer occasion of liberty to his Kirk at this present within this countrie, whilk of the multitude of his mercy we houp he shall fordar advance, praying you with all diligence, as ye are zealouse of the common cause, to repair heirfor toward this countrie; that be mutuall conference we may (as our God will give us the grace) concurre and mutually put our hands to the work concerning the glory of our God and the advancement of the kingdom of his Son Jesus Christ, whose Spirit rest with you and conduct you.

"From Streveling, the 6th. day of November, 1585.

"ROBERT PONT,
"MR. JOHNE CRAG,
"ANDREW MELVINE,
"MR. ANDREW POLWART,
"JAMES ANDERSON,
"PATRICK GILLESPIE,
"WALTER BALCANQUELL,
"MR. P. GALLOWAY,
"MR. ROBERT BRUCE."

His sermon before the Assembly, 1586.
P. 12.

When the next Assembly met, May 10, 1586, Mr. Pont opened it with an excellent discourse from Acts 15. The heads he handled wer, first, of the different kinds of the Assemblys of the church; second, of the

causes of such Assemblys; third, of the parties or persons who are to call them, moderat in them and vote; fourth, the rules by which they are to be ordered and the questions decided. At the close of his discourse, he directed an exhortation to the Kings commissioners, the Lord Privie Seal, the prior of Blanter, and Mr. Peter Young, the Kings preceptor, which he desired them to declare to the King, who was looked for at the sermon, but came not; he directed another to the ministers that they would stand firm and constant; and a third to such as had subscribed their consent to the Acts of the late Parliament. When the Assembly convened, the Kings commissioners desired them to adjourn till the afternoon, and that the Kings pleasure was, that they should stay from any further proceeding till they came down to the palace of Hallyrood-house in the afternoon, wher he would meet with them in the Royall Chappell. The Assembly agreed to obey his desire, seing it was but a matter of circumstance of time and place, upon condition it should not prejudice the liberty of the Assembly in any point. The Kings commissioners declared they knew no prejudice meant thereby.

In the afternoon the Assembly accordingly met in the Chappell Royall, the King sat at the table and the ministers on formes round about him. His Majesty had a discourse to the Assembly, wherin he gave them two reasons for granting their request of calling this Generall Assembly. "The one was in respect of himself, that wheras by the "occasion of some late alterations within his realme, certain evil reports "wer blowen and spread abroad of him, by some of his own subjects both "within this realm and also without, that he had made defection from "the true religion, wheriu he was born, brought up, and instructed "from his infancy; he thôt good to call that Assembly, as well to make "protestation of his perseverance and soundnes in religion, as to offer "himself there presently to satisfy any man that could give any reason "wherfor they suspected him of such defection, alledging ther could be "no meeter time nor place to accuse him of any fault in his life and "conversation, or yet in authorizing the policy of the Kirk. The second "cause was for remitting of the ministers of the Kirk, to a judgment "concerning the discipline of the Kirk, adding that he purposed to "establish that through his realme, which by conference among them

The Kings
discourse to this
Assembly, with
Mr. Pounts an-
swer.

“should be found most agreeable to the word of God.” Having said this he desired them to go on to their own ordinary steps. Mr. Pont who was in the chair till another Moderator was chosen, said “Sir, We “praise God, that your majesty, being a Christian prince, hath decored “our Assembly with your own presence, and we trust your Majesty “speaketh without hypocrisy.” Then leets wer agreed on for a new Moderator, and the King voted first for Mr. David Lindsay, and he was chosen.

Procedure of
this Assembly
in reponing Mr.
Adamson with
Mr. Pont's dis-
sent.

The printed Calderwood and our other Historians give account of the issue this Assembly brôt the process as to Bishop Adamsons excommunication ; to please the King and court, the matter was slumped, and the Assembly without entering into the Synod of Fyfes proces and sentence of excommunication passed according to an Act of a former Assembly, or condemning the said Synod, at the King's desire and upon a paper of submission conteaning the Bishop's acknowledgments and declarations, the Assembly upon weighty considerations hold the said sentence and proces as unled and undeduced and pronounced, and repone the said Bishop, in all respects, in the former estate he was in before the said proces and sentence. Against this sentence Mr. Robert Pont and severall others of the most zealous of the ministry protested. I shall give Mr. Calderwood's account of this from his MS. “In this “Assembly was first espyed, what fear and flattery of court could work “in a Kirk, amongst a multitude of weak and inconsiderat Bretheren, “much adoe was made by the King and courtiers to get the sentence and “excommunication of Mr. Patrick Adamson annulled. The King's com- “missioners propounded to the Moderator and his asessors upon the 19 “of May, that the King would either have the Bishop in his own estate “again, or else ther would be no liberty granted to the Church ; when, not- “withstanding of these terrors, the King's Commissioners wer not like to “obtean their purpose, they sent to the Generall Assembly and called to “them the ministers of every province and laid the same terrors before “them ; some out of ignorance and some from these terrors consented. “The whole provinciall Assembly of Fife was out of the Assembly when “the above sentence was agreed to, as well as many other Commissioners. “The Secretary in presence of this thin Assembly, declared that, except

“ this midse wer agreed to, not only the whole discipline of the Church
 “ would be discharged, but also the Ministers stipends, and the Bishops
 “ would be set up in Edinburgh to preach, and who would say to the
 “ contrair. Thus the vote carried, but Mr. Robert Pont, Nicol Dal-
 “ gleish, Adam Johnstoun, John Knox, Adam M’Gie, Andrew Myln,
 “ Andrew Polwart, Thomas Story, John Spotswood, David Hume, John
 “ Clappertoun, George Johnstoun, and John Durie disassented.” Spots-
 wood adds that Mr. Huntar who pronounced the sentence, protested
 against the Assemblys proceedings, and that the Bishop should be held
 delivered to Satan till his conversion wer seen to be true and effectuell,
 to which Mr. Andrew Melvil and Mr. Thomas Buchanan adhered. The
 Bishop likewise blames the King for going into this medium so prejudi-
 ciall to his authority and the Episcopall jurisdiction : and adds that he did
 only temporize, seing no other way to come to his end, which is no great
 compliment to the King.

Next year Mr. Robert Pont was presented to the temporality of the
 Bishoprick of Caithnes by the King. Whither this was to buy him off
 from his zealous appearances against the courts infringments upon the
 Church, or really as an equivalent for his being turned out of the Session,
 and other losses he susteained in the late confusions of which he was asking
 reparation, I cannot say ; if the first, the court missed their aim, for
 he still appeared firmly for the priviledges of the Church, and, we shall
 see, in a moneth boldly protested before the Parliament. This presenta-
 tion he would not accept till the Assembly which met, June 20, gave
 their judgment upon it, which I shall give as it stands in the Assembly
 records.

“ Session 13. Touching the presentation of their brother, Mr.
 “ Robert Pont, recommended by the King’s Majesty to the Bishoprick
 “ of Caitnes; the said Mr. Robert, before his removing from the Assem-
 “ bly, to notify his mind to the whole Bretheren, that no man should take
 “ any just occasion of slandering his person, declared that for some loss
 “ and hurt done to him in his trouble after diverse suits given in to the
 “ Exchequer, at lenth this presentation without any procurement of him
 “ was put in his hand and desired their judgement if the living might not
 “ be hruiked with safe conscience and without slander of the Kirk. This²

Mr. Pont
 presented to the
 Bishoprick of
 Caitness, 1587.

Assembly
 judgment of
 this.

“ far being alwise resolved in his mind in that manner that he would
 “ agree to be minister of Dornock, to take visitation, but by command of
 “ the Kirk, and for his office and charge bruik the living only. With the
 “ which matter, after the removing of the said Mr. Robert, the
 “ Assembly being in part entered upon reasoning, delayed their further
 “ consultation therof till afternoon, desiring Mr. Nicol Dalgleish, Mr.
 “ Peter Blackburn, and David Ferguson to consider be the said Mr.
 “ Roberts advice, what answer shall be given to the King, to be reported
 “ by them again to the Assembly in the afternoon. Session 14, the
 “ above named persons presented a draught of a letter to his Grace,
 “ which, after a few words wer changed, was ratified and thôt meet to
 “ be directed to his Grace. Session 15, touching the new missive
 “ thôt good to be directed to the Kings Majesty, for answer to the Kings
 “ recomendation of their brother Mr. Robert Pont to the Bishoprick
 “ of Caithnes, the same being read publickly, was thôt meeter to be
 “ directed to his Grace than the answer read of before. The tennor
 “ wherof followes :

P. 14.

Their Letter
 to the King
 upon it.

“ “ Sir, let it please your Highnes, We have received your letter,
 “ “ willing us to elect our Brother Mr. Robert Pont, to the Bishoprick of
 “ “ Caithnes, vacant by the decease of umquhile Robert Earle of March,
 “ “ your Highnes uncle. We praise God your Majesty hath a good
 “ “ opinion and estimation of such a person, as we judge the said Mr.
 “ “ Robert to be, whom we acknowledge indeed to be already a Bishop,
 “ “ according to the doctrine of St. Paul, and qualified to use the function
 “ “ of a Pastor or Minister, at the Kirk of Dornock, or any other Kirk
 “ “ within your Highnes realme, where he is lawfully called; and worthy
 “ “ to have a competent living appointed to him therefore, as also to use
 “ “ the office of a visiter or commissioner within the bounds of the Diocie
 “ “ of Caithnes, if he be burdened therewith. But as to that corrupt
 “ “ estate or office, of them who have been termed Bishops heretofore, we
 “ “ find it not agreable to the Word of God, and it hath been damned in
 “ “ diverse other of our Assemblys, neither is the said Mr. Robert willing
 “ “ to accept the same, in that manner. The which we thôt good to
 “ “ signify to your Majesty, for answer of your Highnes letter of nomina-
 “ “ tion, and have ordeaned our bretheren appointed commissioners to

“ ‘ await on the next Parliament, to conferr with your Highnes, and
 “ ‘ counsell at more lenth, if need shall be hereupon. Thus, after offering
 “ ‘ our humble obedience, we earnestly wish the Spirit of the Lord to
 “ ‘ assist your Highnes, in all good affairs. From our Generall Assembly,
 “ ‘ the 28 of June, 1587.’ ”

What followed upon this letter I have not met with. The Parliament which convened next moneth, annexed the temporality of church benefices to the crown, and if Mr. Pont got the temporality of Caithnes, as far as I can guess he was not minister of Dornock, for I find him afterwards still at Edinburgh, preaching, as I take it, still at the West Kirk, and so I come forward to his appearance at the next Parliament, which was the first after the Kings majority, and convened in great numbers, July 29, 1587. Mr. Robert Pont, Mr. David Lindsay, and others having commission from the church, (as Bishop Spotswood relates it,) did present themselves in the Parliament House at their first meeting, and in the name of the Church desired the Prelates that wer present to be removed, as having no authority from the Church, and most of them no function and charge in it at all. Mr. Edward Bruce, Abbot of Kinloss, rose up and directing his speech to the King, made a long discourse of the right they had to sit, and give voice for the Church in these meetings, complaining that the ministers had most disorderly cast them out of their places in the Church, and now they thôt to exclude them from their places in the estate, which they hoped his Majesty would not suffer, and would punish as a presumptuous arrogancy on the part of the petitioners. Mr. Robert Pont, the Bishop adds, replied somewhat bitterly; the King willed them to be quiet, and present their petitions to the Lords of the Articles orderly, wher they should be answered according to reason. When this came to the Articles, it being in the front of their petition, it was simply rejected.

This rejection of Mr. Ponts and the rest their petition at this Parliament made the less noise, because of the great changes made by this Parliament, both as to the Church benefices, and the Members of Parliament, of which I shall give Spotswoods account with a considerable addition omitted by the publisher, on what view I know not, from his originall MS. The Bishop remarks that tho Mr. Ponts petition against

Mr. Pont and other ministers, their actings in name of the Assembly, at the Parliament, July 29, 1587, against churchmen sitting in Parliament.

At this Parliament the temporality of church benefices is annexed to the Crown.

P. 15.

the Prelats sitting in Parliament was rejected, yet some other of the Churches petitions wer granted, for ratifying all lawes made in the Kings minority in favour of the Church, for trying and censuring the adversarys of true religion, and for punishing such as did menace and invade the Ministers of the Church. The Bishop adds, (but considering how hard what was now done, bore on Prelacy, we must make allowances for his narration,) "It was in this Parliament that the temporality of "benefices was annexed to the crown, upon pretext of bettering the "patrimony therof, and that the King might have means to bear forth "the honour of his estate, and not burden his subjects with taxations "for his support; (what followes is in the Bishops MS. and ommitted "by the publisher) by this means all was begged away, and a greater "burden brôt on the crown than ever. The Chancelor, who was the "cheif leader in this bussiness, carryed the Lordship of Musselburgh, "that held of Dumfermling, for his part; Sir Louis Bellandine, Justice "Clerk, the Barrouny of Broughtoun, which was a part of Hallyrood- "hous; others of meaner credit had their portions; and so for a while "ther was an open market kepted at court, for selling of patronages, "livings, gleib-lands, and mannors, and both the church and the crown "exposed to a prey. To collour these doings and make the act more "plausible, it was given out, that the pope had received a blow, wherof "he should not soon recover in this kingdom; for the Church livings "being spoiled, it took away all hope of planting again the Roman "religion, and tosuch of the ministry as sought the subversion of Episcopall "Government, it was whispered," &c., as in the print, which I now return to :

"This was the publick pretext, and the King made to belive, that "the reservation of the prelats houses and precincts, with the tyths of "the churches annexed to their benefices, would suffice to mentean their "dignity and estate. But privatly to such of the ministry, as sought the "subversion of Episcopall Government, it was whispered, that this was "the only way to undoe the Prelacy, for their being no livings to men- "tain them, (as in this case ther would be little or nothing remaining, "most of the Bishopricks being founded upon temporall lands, and having "but churches annexed,) none would be found to accept of them, which

“also proved true. Hopes were likewise given to those ministers, that they “should have the tyths to dispoſe, and uſe at their pleaſure, yet it was “not long ere the King did find himſelf abuſed; the temporalitys “formerly diſpoſed, which wer not a few, wer all in the ſame Parliament “confirmed, and thoſe that remained in a ſhort time begged from him, “and given away to the followers of the Court, ſo that nothing remained “to reward any well deſerving ſervant.” How far ſome facts here are to be relyed on, depends upon the Biſhops authority, which is not much to be leaned to, in what concerns preſbiterians. I take it to be certain that the King afterwards fell into a diſlike of this annexation, when he began to enterſtain thòts for his own ends to force in Biſhops upon this church, and in his Baſilicon *δαριον* adviſes his ſon to get it reſcinded; and its as certain that the provision for miniſters, ſchools, and the poor was impaired very much by this alienation of what ſhould have been applied to better uſes than the ſupport of hungry courtiers, which brings me forward to notice,

That about four years after, when the Generall Assembly came to obſerve the dilapidation of the patrimony of the Kirk, July, 1591, Mr. Robert Pont and ſome others ſkilled in the canon law, wer appointed to form an Act of Revocation of whatever had been done by them or others in prejudice of the Churches patrimony. I give it as it ſtands in the Registers. Session, 17, “Forasmuch as it being deeply conſidered by “the Assembly that many things have been done by them and by others “pretending to the title and name of the Kirk, greatly prejudiciall to “themſelves, their diſcipline, and alſo the patrimony and living of the “Kirk, and that by the priviledge of good lawes, it is granted and “leaſome to them to remedy themſelves by revocation therof; therfor the “whole Assembly after grave and mature deliberation, hath revoeked and “by thir preſents revocks, all and whatſomever thing done be them or “others cloathing themſelves with the name of the Kirk, prejudicial to “themſelves, their diſcipline, their patrimony and living, as being enormly “hurt therby, and proteſteth according to the diſpoſition of the ſaid law “ſolemly, that they may be heard in time and place, to ſeek remed “therof, and for more ſpeciall expreſſing and more partiular declaration “therof, hath willed their bretheren, Mr. Robert Pont, Mr. David

Assemblys
act of revoca-
tion, as to the
churches patri-
mony, July,
1591, formed
by Mr. Pont
and others.

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" Lindsay, Mr. Robert Bruce and Mr. Andrew Melvil, to conceive in write the form therof, the copy wherof each Presbiterie is ordeaned to receive, and to give command to the Pastors within their bounds, to intimat the said revocation, made in this Assembly from their pulpits." Spotswood takes notice of this revocation which, he sayes, was made in name of the Church by Mr. Robert Pont; he adds that in the opinion of wise men it was esteemed a good way for pleading restitution, according to the priviledge of ancient lawes, but it was derided and scoffed at by those who had filled their hands with the spoils of the Church.

Mr. Pont ordered by the Assembly to write on sacrilege.

Mr. Petry takes notice that this Assembly order Mr. Pont to write upon the subject of sacrilege, which shewes both the commonness of the evil, and the opinion the Assembly had of his learning and ability. His words are: " Seing sacrilege is an universall sin reigning in the country, and is esteemed commonly to be no sin, nor is knowen unto many, it is thôt good that this monster be described in its own collors, and therfor Mr. Robert Pont is appointed to take pains upon that subject, and others are appointed to visit and peruse his travails, and to give him their judgments therin, that the same being perfected may be again presented to the Assembly." We shall find among his works some sermons on sacrilege, but whither this present work was brôt to any publick bearing I cannot say.

His freedom in reproving sin in his sermon, 1594.

As Mr. Robert Pont was learned and much employed in the publick bussines of the Generall Assemblys, so when ther was need for it and circumstances required, he was very plain and free in rebuking vice from the pulpit, and bearing testimony even against what he thôt could not be otherwise amended in the King himself. In the year 1594, after all the endeavours of the ministers to bring the King from his favouring Popish Noblmen and even the excommunicat Lords, of which some hints have been given in Mr. Davidson and Mr. Bruce's Lives, he still went on, and therfor Mr. Pont found himself oblidged publickly to reprove this in a sermon, May 19, this year, as Mr. Calderwood hath it. " Upon the Lord's day the 19, Mr. Robert Pont, teaching upon Rom. x. 9, 10, 11, 12 verses, said ther was great alteration in the professors of this time, from the bold confession which was at the beginning of the Reformation, when a few durst oppone themselves to the whole power of the land in the work

“ of Reformation and constant confession of the truth, yea the authority
 “ and whole nobility of the land being against them and not one Lord
 “ with them, only the Master of Lindsay, this present Lords father, took P. 17.
 “ the cause first in hand, which God so blessed at lenth, that the present
 “ liberty ensued therupon ; wheras now the authority and law standing
 “ for us, and the whole realme as it wer professors, three mean Lords dare
 “ profess and erect idolatry in sundry parts of the land, and yet no man
 “ dare for confession of the truth withstand them, and put hand to refor-
 “ mation. The Lord, said he, stirr up some chiftain to pull down that
 “ idolatry that the godly may joyn with him, and follow and let the rest
 “ go to the devil from whom they came. Upon the Lord’s day the 26,
 “ preaching upon the 20 Psalme, he said, he could not pray with David’s
 “ people to fulfill the desire of the King’s heart ; because he suspected
 “ the Kings heart not to be upright, which the countenancing of evil men
 “ and unreverend hearing of the word declared.”

In the Generall Assembly which met at Montrose, 1595, Mr. Pont was
 of great use to them in their enquirys into the scandalouse dilapidations
 of Benefices, creeped into the Church of late years. The printed Calder-
 wood gives the substance of the commission given concerning this evil ;
 but in the MS. I see the commission at large, and the heads of enquiry
 drawn up at the Generall Assemblys desire for the use of presbitrys and
 ministers, and therfor since they are curiouse and never before published
 that I know of I have cast them both into the App. No. II.

Mr. Ponts
 usefulness, As-
 sembly, 1595,
 as to the com-
 mission and
 heads of en-
 quiry as to dila-
 pidation of
 Benefices, App.
 No. II.

In the year 1596, the Assembly met, March, 24, and Mr. Pont was
 again chosen Moderator. Ther was much and difficult work before this
 Assembly and at such junctures, we have seen, Mr. Ponts prudence, learn-
 ing and zeal brôt him to be pitched upon to preside. This was the last
 Assembly we had that was pure and unbyassed ; after the unhappy 17 of
 December this year, the King and court made great incroachments upon
 our Assemblys, spread jealousys one of another among the ministry, made
 partys, divided, corrupted, and at lenth ruined, these venerable judicatorys,
 and with them the Churches power and beauty. Our solemn covenant
 was renewed with the Lord at this Assembly, overtures against Popery
 and Papists wer agreed to, and the corruptions in all estates condescended
 on and mourned over, and a number of ministers and others wer impowred

Moderator to
 the Assembly,
 1596.

to meet, as circumstances called for, betwixt and the nixt Assembly. The printed Calderwood hath a pretty large account of their proceedings and severall particulars further are to be found in Mr. Davidson and Mr. Bruces Life, which I do not repet here.

He protests
in Mr. Black's
case.

Sometime after this Assembly, Mr. David Black's process come on, November, 1596, for his doctrine before the King and council, as is to be seen in his Life. At his first appearance, after the reading of the summons, Mr. Pont, who we see was generally imployed in these testimonys against incroachments, and was Moderator of the last Assembly, protested that the proces in hand and whatsoever followed therupon should not prejudice the liberty of the Church, in matter of doctrine. The Kings answer and what followed is in Mr. Black's Life.

He keeps the
dyet appointed
by the last As-
sembly when
the King alter-
ed the day.

The confusion that fell in by the severitys against the ministers of Edinburgh, after the tumult, December 17, 1596, and the artfull improvement the King and Court made of these broils, for dividing the ministry and incroaching upon the liberty of the Church, have been narrated in Mr. Bruces, and Mr. Black's Life. In February, 1597, the King called a meeting of ministers at Perth, who assumed the title of an extraordinary Assembly, and sensible corruptions among some of the ministry afterward made Bishops, began first to appear in this anticipated meeting of ministers, who wer teized with the cunning queries writ by Mr. John Lindsay and presented in the Kings name. Notwithstanding of this meeting and their nomination of another Assembly in May, Mr. Pont, according to the rules of the Church, thôt it proper to keep the dyet appointed by the last lawfull Generall Assembly, which was, April 27. Mr. Calderwood's account of this is as followes. "Upon the 27
" of Aprile, Mr. Robert Pont, Moderator of the last ordinary Generall
" Assembly, went to Saint Andrews to keep the dyet appointed by the
" last Generall Assembly. Few or none convened except some few
" commissioners out of Lothian, Perth, Stirling, and the Synod of Fyfe.
" These convened in the new Colledge School, the place appointed for
" the said Assembly. After incalling on the name of God, and humble
" confession of the sins which had procured that desolation, he craved
" mercy, and fenced the Assembly. Notes and documents of protestation
" wer taken for the liberty of the Kirk, all summonds, references, and

“ appellations wer continoued till the Assembly following in May. The
 “ exhortation of the Moderator was likewise continued till that day.”

Mr. Calderwood, upon this occasion of the altering of the dyet of the Assembly from that which had been named by the last lawfull Generall Assembly, by the influence of the Court, and before he enters upon the account of the next in May, 1597, which he recons the first corrupt Generall Assembly, gives the differences between the Assemblies since the Reformation and the new fashioned ones, that followed for a few years till the Prelates got them intirely corrupted, and at lenth laid aside. The printed Calderwood hath an abreviat of them, but I belive the curious readers will not grudge to have Mr. Calderwood's comparison of the old and new fashioned Generall Assemblies at full lenth as follows :

After this
 Mr. Calder-
 wood recons
 our Assembly
 corrupt. His
 differences be-
 twixt the for-
 mer and after
 corrupt Assem-
 blys.

“ Because the Assembly was to be holden in May now approaching,
 “ we have here once for all made a difference between the Assemblies
 “ preceeding and the Assemblies following after this manner :

“ 1. Christ be his spirituall office-bearers convocated and appointed
 “ times and places, of before : now the King bearing no spirituall charge
 “ in the Kirk, usurpeth that allennarlie.

“ 2. Christ by his Word and Spirit presided, directing the Moder-
 “ ator and Bretheren ; now the King his lawes, and policy of estate,
 “ directeth, I will not say controlleth, the Moderator and Bretheren.

“ 3. Matters wer propounded simply, and the Bretheren wer sent
 “ to seek light therin out of the Word of God, be reasons, conference,
 “ meditation and prayer; now platts and courses are wisely laid before
 “ moyens, and means are appointed to bring them about, all is devised
 “ and advised in the Kings cabinet, according therunto is their proceed-
 “ ings. Tent is well tane in publick and privat, what may further and
 “ what may hinder the same. There is the matter to win credit in
 “ court, he is the Kings man, an honest man, a good peacable minister
 “ that goeth that way; and they are seditious, troublsome, capped, factious
 “ against the King, who mean and reason in the contrair.

“ 4. In reasoning the Word was alledged, the text sighted, the
 “ reason weighed at great lenth and laizour, and according to the weight
 “ therof it bare the conclusion, a way by plain force of clear truth, the

“ which being once found out, he that held the contrair willingly and
 “ pleasantly yeilded and all acquiesced. Now the Word is either, as a
 “ thing knowen, and commone, passed and passed over, or if it come
 “ direct and clear against the laid purpose, the Kings man that is of
 “ quickest judgment must devise a gloss and distinguo, and if it be insisted
 “ on the King himself must fall upon him, and put him to silence, with
 “ reason, language and authority.

“ 5. The verity was uprightly and indifferently sought without
 “ respect of this side or that, this purpose or that, which made men
 “ settledly, gravely, and quietly, to bring out their reasons, and speak their
 “ opinions; now the purpose must be respected and dealt for, with
 “ heat and contention, or they cannot be thôt frank enough in the
 “ cause.

“ 6. The fear of God, the love of Christ, the care of the Kirk,
 “ learning in Scripture, the power of preaching, the motion and force
 “ of prayer, the eye and presence of those in whom those gifts shined,
 “ wrôt amongst all estimation, reverence and good order; now its the
 “ person, presence, purpose, favour and regard of the Princee, that bears
 “ out and controlls all.

“ 7. If any had a gift, a measure by others of learning, utterance,
 “ uprightnes, zeal, earnestnes in prayer, force in exhortation, it was spyed
 “ out and specially imployed by the consent of all at these Assemblys;
 “ now the platts are laid, how none shall have place but such as serve
 “ for the purpose.

“ 8. If any offensive word or gesture had fallen out in a brother
 “ it was presently censured and redressed, now if a truth be uttered
 “ freely and in zeal, it is met with a square lye; and he that is for the
 “ Kings cause, may use what countenance, gesture and language he
 “ pleases; and,

“ 9. Voting was wont to be used for no other purpose but to testify
 “ an universall consent, in a cleared and found out verity, so that scarcely
 “ you would have found one *non liquet*, because time and all means wer
 “ granted for resolution. Now reasoning is used only for the fashion,
 “ and nothing is suffered to come in determining but that which is sure
 “ to be born away with the maniest votes, and therfor the eatelogue of

“ the commissioners must be perused to ken who is with us, and who is against us.

“ 10. Finally, the end of Assemblies of old was, how Christs Kingdom might stand in holynes and freedome; now its how Kirk and religion, may be framed to the publick estate of a free monarchy, and to promot and advance the grandeur of man, and supreme and absolute authority in all causes, and over all persons as well ecclesiasticall as civil. In a word wher Christ ruled before, the court begins to govern all, wher preaching prevailed policy takes place, wher devotion and holy behaviour honoured the minister before, pranking at the chair and prattling in the ear of the Prince, to make the minister to think himself a man of reputation, takes place.”

Mr. Calderwood adds, the Assembly which met at Dundie, May, 1597, was of this new fashion, and after the Assembly was lawfully fenced by the doctrine of the last Moderator, Mr. Robert Pont and Mr. Thomas Nicholson chosen clerk, the Assembly was drifted and wearyed, at the Kings pleasure, till the coming up of Mr. Robert Rollock whom the King resolved to have Moderator; at this Assembly a commission of some ministers, most part of them under the influence of the King, was named with generall and very great powers. Mr. Pont I find generally after this named upon the commissions of Assemblies; the court would not altogether loss a man of his experience and reputation, and somtimes he was brôt in to some measures not altogether agreeable to his former zeal by misinformation, and to prevent somewhat worse.

Thus, next year, 1598, when the King bore very hard upon Mr. Robert Bruce, upon the division of the town of Edinburgh into particular charges, and would have Mr. Bruce, for his want of the form of ordination, to be reordeaned upon the matter, and cast a slurr upon his ministrations for eleven years, Mr. Pont and severall others wer got in too much to favour the Kings designe, against that good and great man. Upon Mr. Bruces Life I have given account of Mr. Ponts share in the matter of Mr. Bruces ordination to a particular charge, and shall not resume it here. This year also he reasoned in the Generall Assembly, with Mr. Gladstains, and T. Buchanan, in favour of ministers vote in Parliament.

Mr. Pont
named a com-
missioner of As-
sembly, 1597.

His share
in Mr. Bruces
proces, 1598.

He formes
causes of a
synodical Fast,
June, 1599.

P. 20.

When the sincere part of the ministry perceived Assemblies to be so very much altered to the worse by the influence of the court, and the concurrence of too many of the ministry, the Synods, wher the zealous uncorrupted part of the ministry wer vastly supernumary, began to take the present dangers much to heart, and apply themselves to the Lord in the duty of fasting and prayer. Accordingly the synod of Lothian May 2, 1599, appointed a fast to be kept in their bounds in Julie, and ordered Mr. Robert Pont to pen the causes of it, which he did and Mr. Calderwood has preserved them, at least the last part of them, against which exceptions wer made by the King and Court Ministers, and they are as followes :

“ Forasmuch as, after so long offering of the graces of God to this
“ unthankfull country, be the preaching of the Gospell, now be the space
“ of forty years bypast, the Kirk perceives such a coldnes and loathing
“ of the truth to be fallen out in all estates that none can be excused
“ therof, the ministers and teachers for their parts, for the most part
“ being negligent to discharge their duty, in free rebuking of such enormities as fall out in the country ; and in so doing restraining the liberty
“ of the Word, and bringing the blood of souls that perish throw their
“ default on their own heads ; and the people of all estates, from the highest
“ to the lowest, being become loathsome hearers therof, and not humbling
“ themselves to the obedience and censure of the Word, wherby it appears
“ that the Lord our God in his just judgment, is moved to take away both
“ the liberty of preaching and to loose the yoke of discipline, which be his
“ great mercy has been established and continoued amongst us, and to
“ break the hedge therof be appearing for and setting up those things that
“ plainly have been damned, concerning the spirituall goverment of the
“ Kirk in times by past, (meaning the estate of Bishops.)”

The King
opposeth the
Fast. Reason-
ings upon it by

The King was much against the keeping of this fast when he heard of it, and he prevailed to get a meeting of the Synod at Edinburgh, June 12, and had called a convention of ministers for consultation, which did not bear the name of a Generall Assembly, to meet at Saint Andrews in July, 1599. The Bretheren of Lothian conveyed at the King's desire ; Mr. David Lindsay moved that the fast indyted by the last Synod might

be delayed till the convention of ministers appointed to meet at Saint Andrews. All the Presbitrys agreed to the keeping the fast as appointed by the last Synod, seing it was not prejudicial to any thing that the convention at Saint Andrews should do. John Duncanson, the King's minister, acknowledged the King did not desire the fast to be left off, but only some of the causes to be ommitted, wherupon Mr. Ponts draught of them was read over as above. Mr. Robert Pont gave his opinion that prayer should be made at the fast for the convention which was to be holden at Saint Andrews. Mr. John Davidson answered, I pray God disappoint them that conveen in the name of man and not in name of God and his Kirk, but by vertue of that Assembly I protested against at Dundee. In the reasoning about the fast, Mr. David Lindsay said the opposition of Ministers to the King had done much evil. Mr. Robert Bruce and Mr. Duncanson answered, that not opposition but yeilding had done much evil: neither was the opposition so much to the King as to some ministers whom it became to be otherwise occupied. Mr. John Spotswood, afterwards Bishop of Saint Andrews, who had not as yet thrown off the mask, said, let us not seek worldly ease with the loss of the liberty of Christ's kingdome. This dashed his father in law Mr. David Lindsay not a litle, and brôt the bretheren of the ministry to have a good liking of him, thò afterwards he appeared in his own collours.

Mr. Pont was now become very graciouse with the King and the ministers fallen in with court measures. And in the Assembly, 1600, he is put upon the Generall Commission and named by the Assembly with Mr. John Morison, elder and younger, as commissioners to visit the bounds of Orkney and Caithnes; he was now old and did not visit those remote corners, and his name and reputation did them service in the Generall Commission.

The Assembly at Burntisland, May, 1601, renewed the Generall Commission, which now was the great engyne of the Court for introducing corruptions; and Mr. Robert Pont, with two or three others who wer against the present innovations, are put upon it as a blind to give the better countenance to the rest, who wer for the changes now fast bringing in, and six for one to them. In the next Assembly, 1602, I find him likewise upon the Commission and this was the last Assembly while the King

Mr. David
Lindsay, Mr.
Bruce and
Duncanson,
Mr. John Spots-
wood.

1600, he is
a commissioner
and visitor of
Orkney and
Caithnes.

One of the
commissioners
of Assembly,
1601 and 1602.

was in Scotland. After this I find no more of Mr. Pont in Calderwood which makes my [me] apprehend he lived not much longer.

His share in
the translation
of the Bible,
1601.

P. 21.

In the Assembly, 1601, the King urged very much a new translation of the Bible, as hath been noticed in Mr. Smetons Life, and in the distribution of severall parts of it which was made to the most learned among the ministers, Mr. Pont had the Psalmes, whither for prose translation or the metter Bishop Spotswood does not tell us; nothing was done as to this, and I only notice this to show Mr. Ponts share in most of the publick works the church was concerned in, during his time and even in his old age, for by this time he is about forty years a minister.

He knew
Queen Elizabeths
death,
that day she
dyed, and told
it to the King.

I have met with no more as to Mr. Robert Pont, save only a traditionall story which I have from old ministers, who had it from such as lived in Mr. Ponts time, when it was generally known. Upon the 24 of March, 1603, the day Queen Elizabeth dyed, Mr. Robert Pont had an impression or revelation of her death; at night he sought acces to the King after he was gone to bed; he had notice given him to delay his visit till next day, unles he had somewhat of very great importance to communicate; he pressed still to have acces and the King called him. Mr. Pont saluted the King, King of Great Brittain and Ireland, and assured him Queen Elizabeth was that day dead. The King said, Mr. Robert, I still told you you would go distracted with your learning, and now I see you are so. No! no! said Mr. Pont, I am not distempered, the thing is certain, she is dead I assure you, and so he found it in two or three dayes. Some ascribed this to Mr. Ponts skill in Astrology, others to a revelation from heaven. Its hard to determine the particular ends of providence in making such discoveries, neither perhaps at such a distance can we make a judgment on the designe in them. There are several undoubbitable instances of this nature among our ministers after the Reformation.

His death.

The particular year of his death I cannot tell; his treatise de Unione shows he was alive, 1604, and yet I find him not among the subscribers of the Confession of Faith in the Synod of Lothian in Agust this year, which sayes at least he was not at Edinburgh then, and makes me suspect he was sick. Mr. Charters seems to fix his death about the 1626, because then some of his works wer printed. These might be posthumous, and this would make him extremely old, and a minister upwards of sixty years.

Yet Spotswood and Calderwood being both silent as to his death, one would almost guess that he outlived King James the sixth with whom they end.

He was married to Mr. Knox his daughter, as we have seen in his Life. The particular time I cannot say, nor whither he might not be married after her death. Mr. Timothy Pont was his son; whither he had any other children I know not; his son was a person of learning and plyed himself particularly to Geography, and was at great pains to gather observations upon the different Shires in Scotland and to form Mapps of them. Some of his Geographick Maps relative to the description of his native country, I have seen in the hands of my learned freind Sir Robert Sibbald, and I have his description of Cunningham in MS. I find another Mr. John Pont who wrote a Register or Generall Almanack for every year, 8vo. London, 1646: but whether he was of Mr. Robert Pont's posterity I do not certainly know.⁹

Posterity.

⁹ See Note I.

His character may be gathered by the rule of contraries from a scurrilous letter Mr. Calderwood has preserved, formed by Bishop Adamson, in the name of Mr. James Lawson and adjoynd to a pretended testament Adamson in a most injurious manner made for Mr. Lawson about the time of his death, 1584, as hath been hinted in Mr. Lawson's Life. In these letters, for there are severall of them, the Bishop makes Mr. Lawson speak his own malicious and groundles aspersions upon many of our worthy ministers of that period. His letter to Mr. Pont indeed is not worth transcribing, wer it not for the acknowledgments in it of Mr. Ponts learning and constant opposition to Episcopacy and arbitrary government; for his bitter innuendos of his surlienes and hypocrisy, I believe Adamsons authority will not make any body believe what he insinuates. The whole tract of Mr. Ponts life, and the great reputation he lived and dyed in for the contrary virtues, will easily discover these are the only wanton stroaks of this mans bitter pen, and therfor I shall insert here this ill-natured forged letter, as the testimony of an adversary. It runs:

His character.

p. 22.

“ To Mr. Robert Pont, Provost of the Queen's Hospitall :

“ Brother, albiet I bore good countenance with you, yet in conscience
“ I abhorred diverse corruptions. First, albiet ye profess letters and

Adamsons
letter in Mr.
Lawsons name
to Mr. Pont,
1584.

“humanity, ye are of nature so churlish and untractable that you can neither shew your civil offices and duty to men of better rank, neither can you keep society with your pares and equals, wherin you give occasion to men to think that ministers have rejected all humanity and civil manners, which makes men odious to the people. Ye have affirmed and taught that its insufferable in a minister to enjoy plurality of functions and charges; wherin you have declared your great hypocrisy, because ye yourself in your acclaimed worthines allowes, that ye may lawfully in your own person bear the office of a Senator in Session, of a provost in hospitality, of a preacher in pulpit, and of a Bishop or commissioner in a dioces; ye are of a bussy head and engyne, inclined unto the invention of novations, and [so] pertinaciously obstinat and wilfull in maintaining your perrilous inventions that you cannot be induced to yeild to reason, and therfor you have been the cheife author and patron of their late novations and dissensions betwixt the ministry and estate of Bishops, wherin no litle trouble and unquietnes has entered the Kirk. Ye are in the counsell and advice of the attemptates which have been lately prized against the King’s obedience, and most cheifly ye withstood the authority of the King’s late Parliament, and was the author of the protestation that was made in name of the Kirk at the cross of Edinburgh, which vices, brother, I crave heartily to be reformed, that therby the better quietnes may be set down in the Kirk to the increase and advantage of our profession.”

Reflexions on this farce are needles. Had the Bishop knowen any thing worse to say, with any collour, of Mr. Pont, he would have put it in Mr. Lawsons hand to be sure, and most things he is blamed for are truely, tho not so designed, commendations of him. Mr. Row in his MS. History names Mr. Pont among those who most zealously appeared against Prelacy and desertion from our reformation principles.

His works.

I shall conclude my account of Mr. Pont, with Mr. Charters character of him and his list of his Writings. “Mr. Robert Pont, minister of Saint Cuthberts, and Senator of the Colledge of Justice, which last office he demitted and continoued pastor. He was a learned and moderat man; he wrote

“Sermons against sacriledge,

“ Item of the Right Reconing of the years and ages of the worlde,
4to. Edinburgh, 1594.

“ De Unione Britanniae, 4to. Edinburgh, 1604.

“ De sabbaticorum annorum periodis, 4to. London, 1619.

“ Chronologia de Sabbatis, 4to. London, 1626.”¹⁰

¹⁰ See Note K.

This is all I have met with as to this learned and usefull man.

MARCH 24, 1726.

COLLECTIONS

UPON THE

LIFE OF MR. JAMES BOYD OF TROCHREDGE,

TULCHAN ARCHBISHOP OF GLASGOW.

COLLECTIONS

UPON THE

LIFE OF MR. JAMES BOYD OF TROCHREDGE,

TULCHAN ARCHBISHOP OF GLASGOW.

THIS gentleman, for I can scarce term him a Pastor till the Generall Assembly ordeaned him to take the pastorall charge of a flock for his piety and usefulness, and particularly as one who had a share in our Assemblys for sometime, and one who was so happy as to be the parent of so eminent a light in the Reformed Churches as his only son and heir Mr. Robert Boyd was, I thought ought not to be overpassed in this work, and I have some things to give from his sons papers about him that will let us in his character; and as to his actings when a Bishop, I shall give them from our Assembly Registers, and Mr. Calderwoods MS. Jan. 22, 1730.
Materials
from whence
this Life is
taken.

His descent and parentage are well knowen, and I will have occasion from an authentick document and bore-briefe granted his son upon his Life to give this at more lenth, and now I shall only say, he was descended of the honourable and noble family, the Barrons of Trochredge and Barnweil, nearly related to most illustrious and noble familys in the west of Scotland, and had the blood of the noble houses of Boyd, Hamiltoun, Loudon, Glencairn and the ancient Barrons of Gadgirth, in his veins. He was born at the seat of his ancestors, the house of Trochredge, in the His paren-
tage and birth.

shire of Air, and bailayrick of Carriet. The particular year has not come to my knowledge.

His study of, and forrainge education in the law under Cujacius.

Very litle has come to my hand concerning him till the time of his being named to be Archbishop of Glasgow by the Earle Mortoun Regent, save what offers from the character his son gives him in his Philotheca, (the originall wherof was kindly communicat with [to] me from his successor and heir of line, the present Laird of Trochredge, by my worthy and learned freind Doctor John Stevenson,) which I shall just now insert. From that we shall see that his education was not with any prospect of being employed in the Church. After his study of the Belles Lettres, and going throû his Philosophicall studies, he was sent abroad to accomplish himself as a gentlman, in all the branches of learning suitable to his birth and estate. When in France, he studyed the lawes very closly, and during four years he was a scholar of the great Cujacius, and no doubt profited much under so great advantages.

He falls in with the Reformation, and lives for many years on his estate.

When he returned to Scotland, probably before the Reformation, or about the time of it, he heartly fell in with it. His near relations the noble houses of Hamiltoun, Boyd, the Shirriff of Air, and the house of Gleucairn, wer among the great instruments of that happy turn. He matched with the ancient and honourable family of Chalmers of Gadgirth, who wer zealous in that good cause. For many years he lived a country life at his own house, on his fortune, without any prospect or desire after any station in the Church. In this period of his life he was very usefull among his neighbours, and kind, hospitable and helpfull to many, till by his near relation the Lord Boyd, now come off from the Queen's faction, he was nominat to be Titular and Tulchan Archbishop of Glasgow, about the year 1573. It is said by some of our writers, that Mr. James had but a small share of the rents of that See, and the Lord Boyd had the rest; its probable it meght be so. It was so in all the Bishops of the Earle of Mortons raising, and he had litle temptation to fall in with the offer made him, unless he had expected a larger sphere to do good to

P. 2.

1 See Note A. others in.¹

Account [of] his education and life before and after he was made

But the account his son gives of him will let us best to his circumstances before his coming to Glasgow. His son was a person of that integrity and candor, that we may take his character from him to be just,

and according to the best information he had, and, thò generally speaking the testimony of so near a relation do not go so far as that of another person, yet we may and ought to make few allowances to one of the Principalls character, who would [not] lye for God or his parents. I shall take it from Mr. Robert Boyd his originall Philotheca, which he inscribes to his son Robert, and it conteans some (for I think he has not compleated his designe,) of his dear friends, with a short account of them, and a copy of Latine verses inscribed to each of them. He begins with his father Mr. James Boyd, and I shall transcribe his account of him:

“ Agmen amicorum hoc merito, nisi fallor, ab illo,

Ordiar, unde mihi lucis fuit hujus origo.

(Patrem, nate, tuum par te patienter et æquo

Ferre animo si ex illa mente sublimi et illimi fonte musarum in humilem pedestris hujus orationis campum non simul subitoq; desilio, sed velut pedetentim sensimq; descendo, donec paulatim deferbeat æstus ille poeticus, et ad quietem pristinam redeat animus ab illo nunc fervore concitior.) Quamvis enim spectatissimus vir in requiem illam cælestem ante annos præter propter quadraginta quinq; translatus (from which I gather the Philotheca was writt, 1626, a very litle before the authors death,) a me tum trimulo per ætatem cognosci nequiverit; ea tamen illi a me debetur non tantū ut patri, sed et eximæ virtutis ergo, reverentia, ut hoc amicorum album suo nomine primus insigniat; quippe quem ab illius temporis æqualib9 constanter accepi, tanta morum integritate, gravitate, prudentia, imprimis autem φιλοφιλία, φιλοξενία και φιλοπρωχία, præcelluisse, (qui charitatis christianæ rami sunt et rivi totidem) ut vulgo Pauperum Pater audierit, et Boni Episcopi cognomentum quasi διακριτικον in hanc usq; diem obtineat. In ea siquidem tempora virtus ejus inciderat, quibus nondum apud nos instituta fuerit vera Ecclesiæ Reformatæ politia, sed visum regni proceribus (quorum ille non paucos proxima cognatione contingebat) imprimis Proregi Mortonio, sub Jacobi Regis pueritiam, abolita papanorum colluvie, veritatem Evangelicam profitentes Episcopos in eorum interim et dignitatem sufficere, qui prisca Ecclesiæ jura, prædia, latifundia, census, aliaq; id genus, aulicarum Harpiarū insidiis exposita, sui nominis auctoritate tuerentur, ne in manus alienas, huic opimæ prædæ inbiantes, hæc talia devenerent, unde tame

Bishop from his
sons Philotheca.

He is 4 years
a student under
Cujacius.

[haud?] facile rursus extorqueri potuissent; in illum ergo coniectis omnium oculis (etsi non tam sacrosanctæ Theologiæ, quam jurisprudentiæ, primos annos dicâset, cujus olim studiis Avarici Biturgium sub magno illo Cujacio quadrennium totum impenderat, nec sacro verbi divini ministerio postea fuisset initiatus, sed vitam privatam natalibus generiq; suo congruentem in patria vixisset) communib⁹ tamen suffragiis, ob meriti non vulgaris prærogativam, amplissimæ Diœceseos Glasguensis Antistes eligitur. Quo in munere tunc quidem non tam regiminis pastoralis, quam politicæ cujusdam dignitatis, præ se speciem ferente, per totum septennium, hoc est, ad extremum usq; vitæ diem, ita se gessit, ut nullis aut charior conjunctiorq; vixerit aut desideratior obierit quam iis ipsis qui Episcopos Hierarchicos, tanquem abusuum papisticorum reliquias, exactorandi præcipui apud nos auctores extiterant, nec in suos aut suorum usus in successorum fraudem atq; dispendium (qui sacreligis nos apud hand paucos nunc invalescit) e censu episcopali olim splendido vel teruncium interverterit, aut uno inde obolo liberos suos auctiores reliquerit.

Mr. John
Davidson and
Mr. Andrew
Melville's charac-
ter of the Bi-
shop.

Cujus rei testes duos proferri lubet omni exceptione majores, Ioan-nem Davidsonum, scilicet, [ecclesiæ?] Prestonianæ pastorem celeberrimum, et venerabilem illum Andræam Melvinum, Ecclesiæ nostræ lumen inoccidu-um, utrumq; pseudhierarchiæ mastiga, purioris autem disciplinæ pro-motorem accerrimū. Quorum ille, vir plane apostolicus et post Sophocardium Knoxiumque *συμμάχορος* [συνομιμαστός?] ut norunt omnes quib⁹ notus ille fami-liariter, de patre meo, quicum conjunctissime vixerat, honorificam persæpe mihi tunc adolescenti mentionem faciebat, et, vel illius amicitiae nomine, quam cum ipso coluerat, paternum prorsus erga me animum exhibebat. Hic (Melvinus) vere, quam ipsum in arce Londinensi detentum (quo tunc illius fruendi gratiâ sæpius itabam,) die quadam hunc ipsū in finem convenissem, ut ejus de patre meo sententiam libere percontarer, quem is inter omnes tum viventes optime perspectum habebat, quippe a quo olim ipse, Genèveâ rediens, obviis ulnis exceptus fuerat, et Accademiæ Glasguen-sis præfecturâ meritissimo donatus, in quo per annos aliquot substitit, cum patre meo sanctissimam colens amicitiam, post cujus demum e vivis excessum, in Accademiā Andræanam translatus est;* respondit, ex voto meo et rei ipsius veritate, pectus illud candidissimū, illius integritati

P. 4.

* Melville left Glasgow in 1580, before Boyd's death. J. Melville's Diary, 65.

virtutiq, luculentum perhibens testimonium lubentissime, quemadmodum etiam, damnato sub id temporis Episcopali fastigio, et synodorum ac presbiteriorū auctoritate constituta, paratus fuerit sese suamq, prælaturam Ecclesiæ suffragio censuræq, submittere, quin, si ita fratrib⁹ videretur, illo se gradu statim abdicare, quem nec ambitiose quæsiverat, nec sordide aut arroganter exercuerat, nec in Ecclesiæ detrimentum, aut rem suam privatam, aut suorum compendium, aut probi et pii ullius ingratij, usurpârat.

Verum aliter ejus dignitati modestiæq, consuluit divina Providentia, qui noluit illum, velut in ordinem redactum, suo, quam tam sancte gesserat, honori supervivere, sed illi vitæ terminum ita disposuit, ut synodicum illud de abroganda in posterum Episcopali ὑπερβολῇ decretum cum ipsius anno fatali plane concurreret; sic ipsi, nescio quo speciali privilegio, contigit, ut ipse primus et solus in Ecclesiâ quidem nostrâ legitime καὶ ἀναντιρρήτως Episcopali illa potestate perfunctus sit, quam tempora subsequuta tantopere ultro citroq, ventilârunt, ac tandem Rex Jacobus ante obitum, contra suum procerumq, et omniū regni ordinum solenne sacramentum, contra regni Ecclesiæq, sanctiones in dei verbo fundatas et annorum complurium usu felicissimo comprobatas, contra piorum omnium hujus Regni consensum unanimem, preces, monitus, obtestationes gravissimas, et quidquid a piis devotisq, subditis in contrarium urgeri potuit, malis avibus, malis artibus et successu pejori, restituit.

His duobus fæminam multis etiam viris ἀντάγων non pigebit subjungere, materteram nempe meam, Iohannam Cameriam, Carletoniæ dominam, jam ante annos viginti quinque felici fato perfunctam, O! quantæ pietatis prudentiæque matronam! et, quod in eo sexu rarissimum, quæ dotes eximias cum summa ταπεινοφροσύνῃ [ταπεινοφροσύνη?] animiq, submissione conjunxerat; in qua cum indies miro studio accessuq, proficeret, pari quoq, passu reliqua spiritus sancti dona crescebant, donec tandem voti compos, tentationem omnium victrix (quas exitu instante gravissimas experta est) hostiū spiritualium per fidem triumphatrix, et futuræ illius vitæ primitiis, hoc est, ineffabili pace gaudioq, delibata, beatam deo animam reddidit. Hæc me in Gallias iter adornantem (1601), et suo complexu sanctissimo postremū dimissura, nec unquam postea revisura, mihi cum lachrimis narrabat patris mei præconia, mores integros, ἀφιλεγκυς, liberales,

The lady
Carelton his
sister in law
her character
of the Bishop.

P. 5.

animum erectum, comem, candidum, beneficum et ad opem tam suis quam extraneis ferendam promptissimum, aliaq; christianum ejus affectum docentia, imprimis quantum ipsa sensisset in ejus amicitia ac benignitate præsidi; quantum, eo sublato, solatii amisisset, &c. Quibus mihi fateor non segnes illa subdebat veræ virtutis aculeos, veræ pietatis igniculos, utinamq; te quoq; Roberte fili, moveant efficaciter eadem hæc exempla domestica ad eandem virtutis viam alacriter insistendam." Then his son gives a copy of verses he wrote on the Bishop, which I shall bring in afterwards.

Reflections
upon this ac-
count.

I shall only make a reflexion or two upon his sons account of him. He gives the most favourable representation of the Tulchan Bishops being brôt in, as no doubt he had been informed. That they were set up to preserve the Churches rent from the greedy courteurs, I do not doubt. This was the pretext the Earle of Mortoun made for setting them up, and the view under which his father the Bishop entered into that office. But it is as plain in fact that the quite reverse hapned, and probably was designed by the Regent in bringing in these titular Bishops, and the Church rents, except a very small pittance, went to noblemen and courtiers; and, as his son observes, I believe it is most certain that neither the Bishop nor his family were enriched by the rents. His son lyes under another misinformation, that the reformed discipline was not established in this Church. The First Book of Discipline, as I have frequent occasion to observe, was agreed to; only the sincere and knowing part of the ministry wer pressing after further degrees of perfection and reformation. It is a very just remark, and grounded upon his fathers not being in orders nor in the pastorall office when named to the Bishoprick, that it was not a pastorall but rather a politicall kind of office and rule in the Church. I only further observe the concern and warmth with which the Bishop's excellent son speaks of king James his overturning the Presbyterian setlment of this Church, contrary to his own and the lands oath, which is a sufficient refutation of the litle insinuations that some make, as if this learned man was favourable to Prelacy in Scotland.

The Bishop
marries a
daughter of the
ancient house
of Gadgirth.

To return to the Bishop. We see that he had the benefit of forraigne education, and studied the Civil Law in France, and was the great Cujacius scholar four years. That while abroad he fell into Mr. Andrew Melvils acquaintance, and the freindship continued while he lived. When

he returned home he was soon married to Margaret Chambers a daughter of James Chalmers, Barron of Gadgirth, a family of more than 600 years standing, as we shall see in Trochredge's bore-breife, granted to him, 1609. It seems another daughter of the same family, was married to [a son of the] family of Careltoun, an ancient and religious family in the same Bayliary of Carriect. Till he was made Archbishop I have nothing of him, but that he lived religiously, usefully, and hospitably upon his own fortune, and those, with the interest of his relation, the Lord Boyd² with the Earle of Morton, and the share that noblman was to have in the rents of the Archbishopricks, led the Regent to fix upon this gentlman to be first Tulchan Bishop of Glasgow.

² See Note B.

What I have further about him is while he was in that See, and I give it mostly from our Assembly Registers and Calderwood. Mr. Boyd was nominat to the Archbishopricks, probably in the beginning of the 1573, at least in the Assembly that conveened, Agust, that year, I find the Regent desires the Assembly to name a day for his election. The Regent was now using his outmost endeavours to execute his project for getting the Kirk rents in his own hands, and proposed a great number of articles to this Assembly. They stand at full length in the Registers and Mr. Calderwood. I shall only nottice a few of them here. "The Regent assures "the Assembly that ministers shall be taken a care of, in the first place, "in the assumption of the thirds of Prelacys and other great Benefices. "He sayes the delay of getting qualified persons in Bishopricks accord- "ing to the agreement at the convention in Leith is not throū his default, "but by reason some interest was given to those livings in favours of "certain noblmen before his acceptation of the Regency, (that is during "the Earles of Lennox and Marr their being Regents, but then its to be "remembered that this was done by the Earle of Mortoun as great "manager, even under these Regencys); but that proper persons shall "soon be presented. That its thōt meet that the multitude of hereti- "call books brōt in to this country shall be burnt, and that proclamation "be set out against them in time coming. That seing the most part of "the persons who wer chammons, monks and freirs within this realm, "have made profession of the true religion, its therfor thōt meet that it "be enjoyned to them to pass and serve as readers at the places wher they

Nominat to
be Bishop of
Glasgow, 1573.

P. 6.

Articles, Re-
gent to Assem-
bly, Agust,
1573. App.
No. I.

“ shall be appointed, to appoint a day for the election of the Bishop of
“ Murray, of Ross, Dumblain, the Archbishop of Glasgow, Commis-
sioners in all provinces wher Bishops are not placed, and a suffragan
“ Bishop for the Bishop of Saint Andrews in Lothian.” But because
these Articles contean a good many specialitys at this time of setting up
the Tulchan Bishops, and that they have not been published, I have
given them intire, App. No. [I.]

Assembly,
March, 1574,
the Bishop on
a Committy
for the juris-
diction of the
Kirk.

In the next Assembly, March, 1574, I find him entered upon his
office of Bishop, and named upon a Committy to consider the jurisdiction
of the Kirk, so it seems he was admitted to that office sometime towards the
end of the year, 1573. The words of the Assembly Registers run :
“ The Assembly appoints James Bishop of Glasgow, the Superintendant
“ of Angus and Merns, John Winram Superintendant of Strathern, Mr.
“ Robert Pont one of the Lords of Session and preacher of Gods Word,
“ Mr. John Row Minister of Perth, Mr. John Maitland Dean of Aber-
“ deen, Mr. Alexander Arbuthnot Principall of Aberdeen, and John
“ Duncanson Minister to the King’s house, that they convene the morn
“ about six hours in the morning in Mr. James Lowsons house, to write the
“ heads and articles concerning the jurisdiction of the Kirk, thereafter to
“ present the same to the Assembly, to the effect that resolution therof
“ may be had at my Lord Regent his Grace his hand.” These articles
in some few Assemblys came to grow up into the Second Book of Disci-
pline ; meanwhile as I have notticed on severall of these Lives the Assem-
bly declares that Bishops jurisdiction exceeds not that of Superintendants,
and that they are subject to the Generall Assembly in all points, from
which we may gather, Mr. James Boyd, as his son observes, entred on
the Archbishoprick of Glasgow, as a politicall rather than pastorall office,
and was free from prelaticall ambition, and went in with his bretheren in
all the restrictions and limitations put upon the Tulchan Bishops.

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Injunctions
laid on him
by Assembly,
March, 1574,
as to Hamilton
and Car-
michael.

In that same Assembly, Session 4. “ The Generall Assembly
“ ordean the Bishop of Glasgow to take order with John Hamiltoun, son
“ to umquhile Sir William Hamiltoun and to give him injunctions for satis-
“ fying of the Kirk of Mauchline; and his complices, John Dumbar, Hugh
“ Ferquhar, Patrick Hamiltoun of Linnerhaugh, William Dumbar, por-
“ tioner of Tarbolton, David Blair parishoner of Munktoun, being often

“ called and not compearing, the Assembly ordeaned the said Bishop of Glasgow to direct his precepts to the Ministers or readers of the for-
 “ said Kirks, wher the forsaid persons dwell, to admonish them and
 “ every one of them respective in their own parish Kirk, to satisfy the
 “ Kirk of Mauchlin for the offence done to the said Kirk, under the
 “ pain of excommunication, and, in case of disobedience of the saids persons
 “ or any of them, that he give commandment to the saids Ministers or
 “ readers wher the saids disobedients dwell, to pronounce the sentence
 “ of excommunication against them, according to the order appointed in
 “ the Book of excommunication ; and in the 5 Session, the Assembly
 “ ordaineth the Bishop of Glasgow to take order with John Carmichel,
 “ Captain of Crauford, now submitting himself to the discipline of the
 “ Kirk, for adultery committed by him, and to receive him to publick
 “ repentance, according to the Acts of Assembly heretofore made against
 “ the committers of such crimes.” Whither the Bishop was negligent as
 to these criminalls, or, which is charitably to be hoped, that he needed
 the Assemblys interposing their authority, I cannot say. I only insert
 them that we may see the work the Bishops had laid on them at this
 time.

At the next Assembly, Agust, 1574, it seems complaints wer made of
 the Bishops neglect in his work ; he ingeniously ouned things as they stood.
 “ Session 1. In the tryall of Bishops, and Superintendants, and Com-
 “ missioners, the Bishop of Glasgow granted that he had not exactly
 “ done his duty, alledging the cause therof to have been his occupation
 “ in the temporall affairs of the Bishoprick, and hearing Ministers preach
 “ at their own Kirks, and promised amendment in time coming.” At
 that same Assembly, in the 7th Session, he agrees to an Act anent
 Bishops, Superintendants, and Commissioners of Kirks, who shall be found
 negligent in their office, or do not their dutifull discharge, either in their
 visitation, doctrine, or life, “ That they shall be punished and corrected
 “ according to the quality of their faults, either by admonition, publick
 “ repentance, deprivation for a time, or deprivation simpliciter at the sight
 “ of the Generall Assembly.”

As I take it, his former harmonious concurrence with the rest of the
 Ministers in all their steps toward a further perfection in the discipline

His answer
 to complaint,
 Assembly, A-
 gust, 1574.

He is chosen
 Moderator of
 the Assembly,
 March, 1575.

P. 8.

procured him that respect as to be chosen Moderator of the next Generall Assembly which met at Edinburgh, March 7, 1575. The registers say, James Bishop of Glasgow was chosen Moderator. As far as I have observed he is the only Tulchan Bishop that ever was chosen Moderator of any Generall Assembly, after Prelacy came in directly. The Bishops in the few Assemblys we had in their time claimed by virtue of their office to moderat, but now nothing of that nature was pretended, and its but seldom that even Superintendants moderated in our Assemblys and still by choice, and I do not find that either Mr. Patrick Adamson, or any other of their titular Bishops wer ever chosen, and that the Bishop was pitched on for Moderator at this time when the Assemblys wer mostly taken up in censuring, and processing the more corrupt Bishops, and gradually going on to the abolishing of the order, is a good proof of what his son sayes of him, and that he was of the same sentiments with the rest of the ministry.

Censured and his answers to complaints against him at this Assembly.

Even when Moderator, I find him removed and censured with the rest of the Bishops, Superintendants, and Commissioners. "Session 2, " the Bishop of Glasgow being removed, it was complained that sundry " papists within his bounds are adjoynd to the Kirk, and yet do not " communicat, and that a great number of Kirks within his diocie are " ruinous. To the first he answered, that it was true, but he desired " the Assembly to prescribe such order and discipline, as should be " used against them, which he promised to follow. As to the ruinous " Kirks, he said it was not in his power to repair the same, albiet he had " used the comon order for rectifying them." At this Assembly further steps are taken, in order to limite Bishops. In their tenth Session, they ordeaned an article to be given in to those who have the policy and jurisdiction of the Kirk among their hands, that none be elected or presented to a Bishop, till the Assembly take tryall of his doctrine by a proof of it before themselves, and discharge and inhibit all chapters to elect till the Assembly interpose, as said is.

Council letters to every parish to advance five pounds Scots for Arbuthnot's bible, 8 March,

Upon the opening of this Assembly, application was made to the Regent, and council, and estates, for an Act oblidging every parish to take one of [the] bibles at this time printing by the contract betwixt the Assembly and Mrs. Arbuthnot and Bassanden printers, of which ther

are fuller accounts in Mr. Alexander Arbuthnots Life. I have before me an originall Act of Council made upon this application, which probably was given to the Bishop being Moderator of this Assembly. Its
 1575, from the
 originall among
 the Bishops
 papers.

Its in a very fair hand, which comes very near print, and runs thus: “ James,
 “ be the Grace of God King of Scottis, to our Lovits Messengers,
 “ our Schirriffis in that part conjunctlie and severallie speciallic constitute,
 “ greeting, Forasmuch as our richt trustie cousing James Earle of Mor-
 “ toun, Lord of Dalkeith, Regent to us, our realme, our leidges, nobilitie,
 “ estaits and Lords of our privie Counsel, presentlie convened,
 “ understanding be the supplication of the Bishoppis, Superintendentis
 “ and Commissioners of the Diocies within our Realme, how greatlie it
 “ sall tend to the advancement of the true religioun, and instructioun
 “ of the people professing the same within our Realme, that in everilk
 “ parochie Kirke there be a byble remaining in sic form as sall be thoct
 “ expedient be the Kirke and allouit and set furth be our autoritie, and
 “ that thair is gude characteris and printing irins alreadie within our
 “ Realme, proper and sufficient for wirking and imprinting the said
 “ bible: and that 3it the charge and hesard of the wark will be great and
 “ sumptouse, and may not weil be performit without everie parochin, als
 “ weil to burgh as to landart, advance the soume of five poundis, viz.,
 “ for the price of the said bible, weel and sufficientlie bounde in paist
 “ or tymmen, four poundis xij sh. and viij pennies, and for the
 “ collection the uther sax shillings and aucht pennies: Theirfor our
 “ saids Regent, Nobility and Estaits and Counsile, allowing of the said
 “ overture, and willing to extend our autoritie to the furtherance thair-
 “ of, has ordeaned that the said soume sall be collectit of everie parochine
 “ be the Bischoppis, Superintendents, and Commissioneris of sic personnis
 “ as they sall appoint to the collectioun thair of, and the same inbrocht
 “ and deliverit to Alexander Arbuthnot burgess of Edinburgh, the
 “ furnissar of the said wark, betwixt and the first day of July next to
 “ cume, and has commandit thir our letteris to be direct to that effect;
 “ Our will is heirfor and we charge you straitlie and commands, that
 “ incontinent thir our letteris seen, 3e pass and in our name and author-
 “ itie command and charge the principallis and headismen of every
 “ parochine, alsweil to burgh as landwart, to collect and contribute the

“ said soume of five poundis within the parochine, and deliver the same
 “ to the Biscop, Superintendent, or Commissioner of the diocie, or sic
 “ as sall be appointed be him to ressave the same within ten dayes after
 “ the [thai] be charged be 3ou thairto, to the effect the same may be
 “ inbrocht with diligence, and deliverit to the said Alexander Arbutnot
 “ betwixt and the said first day of July, under the pain of rebellion and
 “ putting thame to our horne; and thai failzie thairin, the said ten dayes
 “ being past, that 3e ineontinent therafter denounce them our rebellis
 “ and put them to our horne and escheit, and inbring all their moveable
 “ gudes to our use, for thair contemptioun, as 3e will answer to us thair-
 “ upon. The whilke to do we committ to you conjumetlie and severallie
 “ our full power be thir our letteris, delivering them be you dule execut
 “ and indorsat be [to] the bearer. Given under our hand, at Halyrnde-
 “ hous, the aught day of March, and of our reigne the aught 3eir, 1575.

“ Per Actum Secreti Consilii.”

Letter to the
 Archbishop,
 May 22, 1575,
 about the op-
 position made
 by his tenants.

It seems ther was some opposition made to the Archbishop, in his
 lifting his rents, by his bailay the Laird of Aplegirth, upon which, by
 Mr. William Scot of Eli, he applied to the Regent for remeed. I have
 Mr. Scots originall letter to him on this head, which is all I know of the
 matter, and insert it as followes. Its direct to my Lord of Glasgow.
 “ My Lord. After my humble comendations of service, please witt, I
 “ resaved your L. letter upon Friday at nyne hours, the 20 instant of this
 “ moneth, at which time the tyde was past. On the morn therafter I passed
 “ to Aberdour, and delivered to John Boyd of Bonshaw his letter, and to
 “ my L. Regents G. the uthir letter, anent the contents of whilk I spake
 “ with my L. Regent’s Grace on the sea side on Sunday, for on Saturday
 “ I met not with his G. be reason of his sicknes. When I spake to his G.,
 “ he lamented the creuel handling of your L. tennants, and said he should
 “ put order thairunto according to Justice. Further his G. condescendit
 “ in speciall with me, that if your L. should hereafter constitute and
 “ make any other gentlman than the Laird of Appilgirth bailay of your
 “ lands of Stobo and Edliston, that should cause great trouble in the
 “ country, for then should Appilgirth travail by all means possible to
 “ wrack and slay that bailay made by your L. and to oppress your L.

" tennants, like as the bailay made by your L. would labour to revenge
 " the injuries done by Appilgirth to your L. and your temnants, whilks
 " inconvenients movit my L. Regents G. It sall please your L. to
 " resave his Grace his writing wherby ye sall persave and understand
 " his G. mind theranent. The matter being weighty and of great
 " consequence, I belive litle can be done therin, while your L. speak
 " with my L. Regent's G. coram, for when I delivered him the bill,
 " he shewed me that he did not remember that your L. had spoken to
 " him anent the contents of your L. letter of before in Hallyroodhouse.
 " Thomas Bassanden has not your L. twa psalmes buikes ready; how
 " soon they be in readines, I sall send them to your L. by the coming
 " betwixt. Gilbert Charteris suspends to write to your L. while he
 " speak with Mr. James Charteris whom he looks for in harvest.
 " Cuthbert Richardson the pursevant is not yet come hame, his wife
 " shaues me that he is gane to Dumfreice. No[t] troubling your L. with
 " langer writting, I commit your L. to the protection of the Eternall.
 " At Edinburgh the 22 of Maij, 1575, be your L.'s

" Maist humble and obedient servitor,

" Mr. William Scot."

" Thus, at haist at four hours after dinner, for dispatching the
 " bearer, I refer all to your L. wisdom."

At the next Assembly, Agust, 1575, in the tryal of Bishops, and
 Superintendants, and Commissioners, "the Bishop of Glasgow was exhorted
 " to be diligent in preaching, which was neglected be him." No doubt
 he took the Assemblys exhortation, tho its probable his not being accus-
 tomed to it would make publick discourses the more difficult to
 him. Immediatly after this, when the Assembly were going on to the
 tryall of the Bishop of Dunkeld, Mr. Row, as we will see in his Life,
 made the known protestation that the tryal of Bishops prejudice not the
 opinions and reasons which he and other bretheren of his mind had to
 oppone against the office and name of a Bishop. What followed on this,
 will be seen in severall of the Lives here.

Procedure a-
 bout him, As-
 sembly, Agust,
 1575.

Complaints
against him and
his answers, As-
sembly, Aprile,
1576.

P. 9.

Mr. John Row is chosen Moderator of the next Assembly, Aprile, 1576, and there, Session 1, "The Bishop of Glasgow being removed was delated for not preaching in the Town of Glasgow, since he entered upon his office, and that he was alwise rare in preaching, howbeit he was thought diligent in visitation; second, that no injunctions wer given to adulterers delated to him, nor they summoned to receive injunctions; third, that Kirks within his diocess wer not repaired; fourth, that he hath no particular flock; and fiftly, being required before his removing by the Moderator to render the commission of visitation he had in the hands of the Assembly, he answered not directly, but that he would do reason. Being called in again he answered to the first, preaching is the good gift of God, which is not equally bestowed upon all, and excused himself that he was not so able nor so liberally dotted with understanding as others; alwise he added that it cannot be denyed that he preached, especially at Govan and other Kirks, and was willing to do his duty: to the second, that if the particulars wer expressed he could answer, but remembers not that he hath failed as that head propors: to the third, he granted the Kirks wer not repaired, and complains therof as the Assembly does: fourthly, that he received no particular flock at his entry to his office, nor no question was moved therupon, but if the Assembly think he should be astricted to a particular flock, he should either obey the ordinance of the Assembly therin, or give place to others: to the fift, that if the Assembly findeth that the commission which he hath should endure from year to year, he is content with the censure of the Assembly."

This Assem-
blys Act about
Bishops and
requiring them
to take the
charge of a par-
ticular flock.

This Assembly come to strick at the office of Bishops, as exercised in the Church since the convention of Leith. And because its connected with their procedure with Mr. James Boyd, P'le give it here, thò the substance of what they did stands in Mr. Row, the Laird of Dun, and others of thir Lives. In the 2d Session, the Assembly come to this resolution. "Anent the advice and opinion of the Bretheren, given in the last Assembly, concerning the question moved, if Bishops, as they now stand in Scotland, have their functions out of the Word of God; the whole Assembly, for the greatest part, after long disputation upon

“ every Article of the said Bretherens advice and opinion, absolutely affirmed and approved the same and every Article therof, as the same is given be them, the tennor wherof is also here repeted :

“ ‘ First, the name of a Bishop is common to all them that have a particular flock, over the which he hath a particular charge, as well to preach the word as to minister the Sacraments and to execute the Ecclesiasticall discipline, with consent of the Elders, and this is his chief function of the Word of God, out of which number may be chosen some to have power to oversee and visit such reasonable bounds, besides his own flock, as the Generall Assembly shall appoint ; and in these bounds to appoint Ministers with consent of the Ministers of that province, and the consent of the flock whom—to theyshall be appointed, as well as to appoint Elders and Deacons to every congregation wher ther is none, with consent of the people therof, and to suspend Ministers for reasonable causes with consent of the Ministers forsaid : and to the effect that the said articles condescended to by the said Kirk may be the better followed out, and ready execution ensue therupon as apperteans, ordeans the Bishops who have not as yet received the charge of a particular congregation to condescend on the morn what particular flocks they will accept to take the care of.’ ”

According to this Act, in the 5th Session, “ the Bishop of Glasgow being enquired if he would accept of a particular charge or flock, or not, gave in his answer in write to the Assembly : ‘ That he is content untill the next Assembly unbound to travail with some several parish at such time as his laizour and other necessary causes will permit, providing he be not astricted to the said congregation, and at the next Assembly he shall give his answer, whither he will accept of a particular flock or not, and if he refuse, the Kirk not to reprove him for his last promise, and if he accept oue, the samine shall be at his own option, and shall have another to assist him in the ministry of the said flock, because of his visitations and other charges, and also that the said Bishop shall not be precluded of his office, accustomed in the rest of the parts of his diocie, and service of the King, conform to the first admission, and desired thir things to be allowed by the Assembly now present.’ ” The Generall Assembly continoues him in the office

The Bishops answer to the demand of accepting a particular charge at this same Assembly, Ses. sion 5.

“ of visitation of the bounds which he had before, to the next Assembly.”

P. 10.
The Bishops
declaration to
the Assembly,
October, 1576.

This answer of the Bishops seems to be just a delay of the matter till the next Assembly. His strait was evident enough how to answer the requisition of the Assembly, now that the Church was indeed on the matter changing what had been agreed to at the convention of Leith, and was never fully ratified, yea, in some measure protested against, at the succeeding Generall Assemblys, which it seems he was willing enough to comply with, and yet on the other side it was difficult for him to get rid of his promises at his admission to the office of a Bishop. How to steer an even and steady course betwixt the two was not easy especially at present, before the Church had fully declared their mind upon the jurisdiction of the Kirk, and had not ended the Second Book of Discipline. Under this strait, the Bishop did not hedge, but (which I do not observe in the rest of the Titular Bishops) still punctually kepted the Assemblys, and went all the length he could to satisfy them. Accordingly, at the next Assembly, October, 1576, he was present and gave the following answer according to his promise.

“ Session 8. Anent the requisition of the Assembly made to James, Bishop of Glasgow, to give his answer if he will accept the charge of a particular flock and visitation of such bounds as the Assembly should think good and appoint unto him, conform to the Articles concluded in the Assembly, the said Bishop, being present, exhibited to the Kirk his answer hereunto in write as followes : ‘ Forasmeikle as its not unknown
 “ ‘ to thair Wisdomes that they gave commission and charge to certain
 “ ‘ learned, godly, and discreet Bretheren of the Ministry, and others
 “ ‘ elders of the Kirk, to commune, treat, conclude, and agree with
 “ ‘ certain other noblmen, Commissioners from the King’s Majesty and
 “ ‘ John umphile Earle of Marr his Regent, at which conference it
 “ ‘ was agreed by the whole Commissioners of the King, as well as the
 “ ‘ Kirk, anent the name, stile, power, and jurisdiction of Bishops, with
 “ ‘ the form and manner of their instituting, ordeaned to stand and
 “ ‘ remain, while the King’s Majesties years of minority, or at least while
 “ ‘ a Parliament should otherwise decide, and conform to the order therin
 “ ‘ contained, he was received in the said Bishoprick of Glasgow, and
 “ ‘ made his sermont (oath) to the King’s Majesty, in things pertaining

“ ‘ to his Highnes, and so if he should change or alter any thing pertaining to the order, manner, priviledges, or power of the samine, he should be affrayed to incur perjury, and might be called by the Kings Majesty for changing an member of his Estate. But to the effect their Wisdoms may know he desires not to be exeemed from travail and bestowing of such gifts as God has communicat to him, he is content at their command to haunt to a particuar Kirk, and to teach therat, when he dwells in the shire of Air, and that be discretion and at sight of the Bretheren of that Country, and when he is in Glasgow to exercise likewise at some part wher the Bretheren there think it most necessary, and to abide their judgments of his diligence in that behalf, without binding him any way or prejudging the power and jurisdiction which he received with the said Bishoprick, unto the time prescribed in the said conference, that further order be taken by [the] whole estates of parliament theranent, at which time he shall be content with all good Reformation as shall be found expedient ;’ which answer being read, the Assembly continoued and continoues the said Bishop in the visitation of the bounds which he had before to the nixt Assembly, and as to the particular Kirk, the Assembly is content that he take the care of a particular flock, as is mentioned in his answer till the next Assembly.”

P. 11.

The Bishop, it seems, fully satisfied the ministers of the west country as to his engagements, for at the next Assembly, Aprile, 1577, Session 5, “ Concerning the Bishop of Glasgow his diligence and feeding of a particuar flock, as was promised in the last Assembly before, it was found by report and witnessing of the Country and Commissioners therof, that he had keept his promise theranent for which the Assembly praised God, and required further that he should accept of a particuar flock in time coming, conform to the order and acts of the Generall Assembly, and he willingly agreed therunto.”

He is found to have fulfilled his declaration by Assembly, Aprile, 1577.

In the beginning of the next year, the King took the Government in his own hand, and among the first acts of his Regall power, he by Letters put a stope to a meeting of the Commissioners of the Assembly with some of the Nobility and Councail for getting the civil sanction to the Second Book of Discipline, now finished by the Assembly. Letters wer

Kings letter to him, March 14, 1578,

writ to all the Members ; the originall to [the] Bishop is before me ; its directed to the Archbishop of Glasgow, it runs: “ Reverend Fader, We
 “ greet you well. Understanding that 3e and some uthers wer appointed
 “ by our trustie cousing the Earle of Mortoun, late Regent of the
 “ Realme, to have conveened at Edinburgh the 20 day of March instant,
 “ to conferr concerning the policy of the Kirk, notwithstanding we have,
 “ upon good and weighty considerations, sensyne accepted the Govern-
 “ ment of our Realme upon ourself, by advice of our Nobility and Estates
 “ conveened, and we and they being presently occuppyed in directing of
 “ sic matters as can suffer no delay, that errand on which ye and severall
 “ others should meet, requiring good laizour and advised deliberation, we
 “ think it convenient therfor that ye sall stay travailing for that purpose
 “ at this time, and await on it upon our advertishment, so soon as we sall
 “ find the time proper therfor. Thus we committ you to God. At our
 “ castle of Striviling, the xiiij day of March, 1575 [1578?].

“ JAMES R.”

Complaint,
 with his an-
 swer, Assem-
 bly, Aprile,
 1578.

Matters continoued in this state with him for some time. In the
 year 1578, the King took the government in his own hand, and the
 Earl Mortoun had not that influence which formerly he had, in the
 Assembly which conveened after this turn in the state. “ In the third
 “ Session, George Johnstoun minister of Ancrum compleaned upon Mr.
 “ James Boyd, that he being minister at Ancrum these five or six years
 “ by past, the said Mr. James, upon a presentation directed to him, gave
 “ collation to Mr. Hector Douglas of the personage of Ancrum, howbiet
 “ the benefice lyeth not within the bounds committed by the Assembly
 “ to his visitation, and without consent also of the visitors in that part ;
 “ the said Mr. James declared he had given the said Mr. Hector colla-
 “ tion of the said personage, and had made the Commissioners forseen
 “ in the matter, but the other denyed that he had given his consent to
 “ the collation. The Assembly finds the act to be transgressed by the
 “ same Mr. James Boyd, and ordeanes the same to be kepted in times
 “ coming.” This Assembly, the Book of Discipline being now ended,
 find that Bishops and all others in ecclesiasticall function be called by
 their own names or bretheren, and conclude that, because ther is great

corruption in the office of Bishops, that none be elected till next Assembly.

In the Assembly, October, 1578, "Session 3d. Mr. James Boyd Commissioner of Kyle, Carriect, &c., was desired to submit himself to the Generall Assembly, for reformation of the corruptions in the estate of Bishops, in his person, according to the Acts of Assembly. Further, he was accused of negligence in visitation, negligence in preaching at the Kirk of Oswald, which he had taken to be his particular Kirk, slacknes in discipline, and that he had given collation to Mr. Hector Douglas of the benefice of Ancrum, with command to the reader to give him institution therof, ther being another minister actually serving the cure at the said Kirk. To the first demand Mr. James answered he understood not the meaning of the said act, for submission alwise he was content to offer such reasons to the Moderator and the bretheren that consult with him, as either they may be satisfied in the said point, or by their better reasons he may be perswaded to yeild. The Assembly appointed him to be present with the said bretheren and Moderator, upon Munday at 7 hours in the morning, in Mr. James Lawsons gallery. As to his nonvisitation, he granted he had not visited Kyle and Cunningham, for deadly feods there, and desired to be disburdened of that charge and his visitation to be limited to him about Glasgow. As for preaching, he had preached at the Kirk of Oswald, when he was in the country, and other times at Glasgow, and craved of the Assembly, that he might travail at Glasgow. As to the last, answered that he kepted the common form of visitation."

What passed about him, Assembly, October 1578.

P. 12.

The report of the conference he desired followes next. "Session 5, anent the submission of Mr. James Boyd Commissioner of Kyle, Carriect, and Cuninghame to the Generall Assembly conform to the Act made in the last Assembly, and the reasoning had by him with the bretheren and Moderator, the forsaid bretheren being present thought it best he publish his own answer to the whole bretheren for their satisfaction. He gave his answers in write as followeth. 'First, 'I understand the name, office, and modest reverence born to a Bishop, 'to be lawfull and allowable be the Scriptures of God, and being elected

The Bishops answer to the demand of the Assembly, Session 5, as to his quitting the corruptions of the state of Bishops.

“ ‘ be the Kirk and King to be Bishop of Glasgow, I esteem my office
 “ ‘ and calling lawfull. As anent my execution of that charge and office
 “ ‘ committed unto me, I am content to endeavour at my uttermost ability
 “ ‘ to perform the same and every point therof, and to abide the honourable
 “ ‘ judgments of the Kirk from time to time of my offending by my duty,
 “ ‘ seing the charge is weighty, and in laying any thing to be laid to my
 “ ‘ charge, to be examined by the cannon left by the Apostle to Timothy,
 “ ‘ Epistle Cap. 3., since that place was appointed to me at my receiving, to
 “ ‘ understand therefra the duties of a Bishop. As towards my livings and
 “ ‘ rents, and other things granted be the Prince to me and my ancestors,
 “ ‘ for my serving of that charge, I recon the same lawfull. As to my
 “ ‘ duty to the supreme Magistrat, in assisting his Grace in council or
 “ ‘ Parliament, being craved therunto, I esteem I am bound to obey the
 “ ‘ same, and that it is no hurt but a weal to the Kirk, that some of us
 “ ‘ and of our number be at the making of good lawes and ordinances.
 “ ‘ In the doing wherof, I protest before God, I never intend to do any
 “ ‘ thing, but that which I belive maystand with the purity of the Scriptures
 “ ‘ and a well reformed country; as also a good part of the living I
 “ ‘ bruik, hath been given for that cause.’ This answer being read in
 “ ‘ open Assembly and considered, after votting therof, the whole bre-
 “ ‘ theren judged it to be no answer to the Act, nor to satisfy the intent
 “ ‘ therof; alwise he was required to return at afternoon with better
 “ ‘ advice.” What his answer was then cannot be knowen, because severall
 leaves are torn out here by the Archbishop of Saint Andrews, as is to be
 seen on his Life. By his answers being torn out, one would think that
 they wer displeasing to Bishop Adamson, and more satisfying to the
 Assembly. I shall only observe that at this Assembly, in the 8. Session,
 its agreed that all Bishops be oblided to be reformed from all corruptions
 in ther office, according to the Scriptures at sight of the Assembly;
 that they be pastors of one flock, usurp no criminall jurisdiction; that
 they vote not in the Parliament in name of the Kirk, without advice
 from the Kirk; that they be content with reasonable livings; that they
 claim not the title of Lords temporall, nor usurp temporall jurisdiction,
 wherby they may be abstracted from their office; that they be subject to
 the particular elderships, usurp not power over Presbitrys, nor any further

bounds of visitation than [the] Kirk committs unto them. This Assembly p. 13.
 appoint two of their number to try Mr. Hector Douglas, who find
 him rude in the principles of religion and at lenth deprive him of all
 function of the ministry, as unmeet and unable for the same. The
 Bishop of Glasgow, they observe, had not tryed him, and had no juris-
 diction as to Ancrum.

The Bishop was a member of the meeting for conference upon the Book of Discipline, which I have given account of upon the Laird of Duns Life and others, wher the Bishops and those nominat by the King agreed upon every thing of importance, as to the discipline. At the Assembly, July, 1579, the Bishop gave them full satisfaction, by an Act produced by Mr. David Weems, under Mr. Boyds hand. He, it seems, had been appointed by the former Assembly to require the Bishops finall answer. "Session 8, anent the commission given to Mr. David Weems (minister of Glasgow,) to charge Mr. James Boyd called Bishop of Glasgow, to remove the corruptions of the state of a Bishop in his person; for shewing his diligence in this behalf, the said Mr. David produced an Act subscribed with his hand dated at Glasgow, June 8, 1579, wher he willing agreed to the Act of Assembly made at Stirling, 1578, and according to the duty of all faithfull pastors, he submitts himself in all points." That Assembly appoint him commissioner of Carriet.

I meet with very litle more concerning him. The Assembly, July, 1580, continou all their commissioners till next Assembly, save Mr. James Boyd, in whose room they place Mr. John Young. This I suppose was at the motion of the Bishop, who desired to have his labours confyned to Glasgow. In the next Assembly, October, 1580, I see he is named with severall others to compare before the Council, November 15, and crave the Kings answers to the Articles, and reason and conclude with his Majesty and Council upon those subjects. And next year, in June, Mr. Calderwood tells us James Boyd Bishop of Glasgow deceased, and the Earle of Lennox got the gift of the Bishoprick. He obtruded Mr. Robert Hamiltoun [Montgomery?] upon that See, with nolittle trouble to our judicatorys, as is to be seen in our printed Historians. He was a most unworthy person, and quite the reverse of what Trochredge appears to have been.

He submits
 intirely to the
 Assembly, July,
 1579.

What passed,
 1580. The
 Bishop dyes,
 June 8, 1581.

His marriage
and posterity.

His son, as we have seen, observes, that he dyed just at the time when the Church declared against the corruptions of the office he was in for about 7 years, and I observe not many Bishops, if any, since the Reformation, of so fair a character for integrity, candor and moderation as he. I have already given somewhat in his sons character of him, as to his freindship with Mr. Andrew Melvil, and I see Mr. James Melvil observes, that Bishop Boyd in the year 1574, was the cheif instrument of bringing Mr. Andrew Melvil to the Colledge of Glasgow, quher indeed he restored

³ See Note C. learning which had been under a long cloud there,³ which, with Mr. James his large character of the Bishop for piety, learning, &c., the reader hath on Mr. Andrew Melvils Life. I have noticed his marriage likewise from his sons Philotheca, and I shall add here the short account his son gives of his mother, the Bishops wife, Margaret Chambers. “Quos deus
“conjunxerat, absit! ut in hoc amicorum albo sejungam. Patrem ergo
“laudatissimum sequatur jure parentum altera adhuc (1626) superstes,
P. 14. “pietate, canitieq; veneranda; quippe quæ jam octogenaria jugi rerum
“Divinarû lectioni precibusq; vacans assiduus, deo servire studet in
“spiritu; curâq; rei familiaris ac τῶν βιωτικῶν ἀπάντων jam ante annos
“quindecim in generum liberosque translata, se in horam illam ἀπολυτικὴν
“tota componit atque ita vere vitam ἀσκητικὴν, etiam citra veli votique
“monastici vinculû, intra privatos oratorii sui parietes exercet.” Her son
honors her memory with a poem, in his Philotheca, and then adds this
account of his brother Thomas: “Parentes charissimos merito sequetur
“frater germanus non sanctâ minus amicitia quam sanguine mihi con-
“junctus, qui et eadem disciplinâ domesticâ iisdemq; mecum studiis
“imbutus, et ab iisdem preceptorib; excultus, in eodem semper vixit
“contubernio, meq; sub horam fatalem assidente piisque sermonibus
“animû ejus fulciente mitem et pacatû deo spiritû, in ipso adolescentiæ
“flore, phthisi et, quæ hanc comitari solet, Hecticâ febre correptus, cui
“nos ante annos triginta (about the year 1594,) sic mæsti parentavimus.”
Then follows: “In Thomæ Bodii summæ spei adolescentis ac unici fratris
“obitû threnodia paracletica,” with which I shall not swell this Life, since
its a pretty long poem. It seems the Bishop had no other sons come to
age but this youth, and Mr. Robert whose Life will follow. I suppose he
had daughters, but no accounts of them have come to my hands.

I do not observe that the Bishop left any works behind him in MS., and I shall end my account of him with his sons poem at his death. ^{His son's epitaph on the Bishop.} In his Philotheca, after the passage insert giving the Bishops character from Mr. Davidson, Mr. Andrew Melvil, and his aunt the Lady Carelton, he goes on thus: "Interea nos ejus (patris) piam memoriam hoc olim Elogio
 "prosecuti sumus, quod vel in tuam (Roberte fili,) gratiam non verebor
 "ascribere, etsi cum justa juvenilis ætatis excusatione legendum (siquis
 "tamen hæc quoq, post mea fata leget) ut et sequentium (in Philotheca)
 "pleraque, quod simul et semel de omnibus monuisse suffecerit.

"Ad beatam patris sui, D. Jacobi Bodii a
 "Trochregia, Glasguensis quondam Diœceseos
 "Antistitis integerrimi, memoriam R. Bodii
 "a Trochregia filii Hypommema.

"En munus, genitor, quale superstites
 "Unum ferre queunt luce parentibus
 "Cassis, ducta humili stamine carmina.
 "Quod non parca tamen prestitit invida,
 "Immunem senii proferet ultimam
 "Sors ad progeniem, nomen et exteras
 "In gentes Bodii differet inclytum,
 "Sceptrum prostibuli qui Babylonici
 "Non postremus humi stravit et Albio
 "Longâ nocte diem reddidit obruto ;
 "Dum non mitriferi cornua verticis
 "Ostentans, et opis prodigus irritæ,
 "Porrecto populum fascinat Indiæ
 "Non fastu titulorum, aut cruce prævia
 "Elatus graditur ; non holoserici
 "Exundante tumet syrmatís ambitu,
 "Dilatatoq, sinus, gestat ut Anglica
 "In portu refluis corbita supparis ;
 "Non queiscunq, suos deniq, septiceps
 "Monstrum degeneres perdit in assecclas ;

" Sed virtutis opes arsit amabiles
 " Diviniq, eluens dotibz ingenii.
 " Mitratas pecoris tinxit hircines,
 " Frontes insolito murice ferreas ;
 " Cœlestis quatiens fulgura lampadis
 " Per sæcunda virum rura Caledonis ;
 " Scotorumq, levi martia subdidit
 " Christi colla jugo, colla ter inelyto
 " Vallæ, et magnanimis pressa Caractacis,
 " Effætumq, diu præsulis arduum
 " Conjunxit propriis nomen honoribz.
 " Mens ergo, genitor, nunc tua cœlitum
 " Claro gestat ovans insita cœtui,
 " At nos, aurâ tui nominis, Indici
 " Quo non spirat honos ruris amœnius,
 " Permulcens animos recreat anxios,
 " Accensæq, velut prævia lampadis
 " Monstrat flamma viam, nocte sub horridâ
 " Sic quicumq, tuas triverit orbitas,
 " Culmen certus iter pandet Olympicū :
 " Sed me cum tacitis pectora gaudiis
 " Exultant, avidus dum pia ruminor
 " Vitæ exempla tuæ, sanctus inhospitâ
 " Illuc rapta humo fervor et impetus
 " Explendi, genitor, lumina fulgidi
 " Vultus luce tui, quem rapuit prius
 " De Phœbes gremio parca volubili,
 " Quam nos licuit nosse, sed axium
 " Lapsu flammiferum præpete sedibus
 " Mox tecum æthereis compositus, breves
 " Quas nunc mente moras perfero languidâ
 " Æterni redinam temporis usibus."

P. 16.

His succe-
sors in the
Bishoprick.

The writter of the Appendix to Bishop Spotswood History sayes, that Bishop Boyd was succeeded by Mr. Robert Montgomery, of which I shall

give some account in his Life, and that by the violence of the Ministers he was forced to betake himself to a particular Kirk, and resigned in favour of Mr. William Erskin, parson of Campsie.

This Mr. Erskine, it seems, was admitted by the Presbitery of Glasgow, 1587, to the temporalities of the Bishoprick, contrary to the Acts of the Assembly, from their fear of another squable with the King, as they had in Mr. R. Montgomerys ease. The Generall Assembly which met, June, 1587, take notice of this irregular admission, and I shall bring in what they did on it here, since its but short. “Session 5. Touching the “slander of the admission of a Bishop lately to the Bishoprick of Glasgow, “by all order, be the Bretheren of the West, the Bretheren thôt meet “for good causes, that the said matter be first opened up and treated in “privy conference afternoon, and thereafter brôt before the whole number “for satisfying all the Bretheren. Session 8. Touching the admission “of a Bishop in Glasgow referred to the Moderator and his assessors, the “Moderator and Bretheren declared that they had heard the said Com- “missioners and Presbitery, and the whole form of the admission of the “said Bishop, which was only to the temporality, the ecclesiastick juris- “diction being devolved by him in the Kirks hands with such conditions “that in case the Generall Assembly should not allow of such admission “that the same should be undone, wherupon his obligation remaineth; “which form, albiet the said Bretheren would not mentain to be agreable “to the Word, nor the order of the Kirk heretofore observed, yet they “did nothing therein of mind to hurt the Kirk, but rather to preveen “greater inconveniencies which might follow, if he had not been admitted, “referring them herin to the good deliberation of the whole Assembly; “which matter being well weighed and considered by the full number of “the Bretheren, albiet they understand the good meaning that the said “Bretheren had, and acknowledge their zeal in resisting the corruption “of the times past in that Estate, yet in conscience they universally voted “and concluded the said form of admission to be unlawfull, neither “agreeing with the Word of God, nor with the order and custome of the “Kirk, and therfor ordean the said Bretheren, admitters of the said “Bishop, to try him with the performance of the said obligation and “cause the said admission to be undone and annulled, and that with all

The Assem-
blys Act as to
the irregular
admission of
Mr. William
Erskin, par-
son at Campsie,
to the Arch-
Bishoprick of
Glasgow, June,
1587.

“possible diligence, betwixt and Michaelmass next to come at furthest, to
“the effect that the slander may be removed from the Kirk, as they
“will answer upon their obedience to the same.” I doubt not but they
obeyed, and Mr. Erskin enjoyed his benefice very short while. His
temporality then soon after was conferred by the King, on the Popish
Bishop Beaton,⁴ ambassador for the King at Paris, which is one of the
reproaches of this reigne.

⁴ See note D.

JANUARY 28, 1730.

COLLECTIONS

UPON THE

LIFE OF MR. GEORGE GLADSTANES,

MINISTER FIRST AT ABERLOTT, THEN AT SAINT ANDREWS, AND
AFTERWARDS BISHOP OF CAITHNES, THEN OF ST. ANDREWS.

COLLECTIONS

UPON THE

LIFE OF MR. GEORGE GLADSTANES

MINISTER FIRST AT ABERLOTT. THEN AT SAINT ANDREWS, AND

AFTERWARD BISHOP OF CAITHNES, THEN OF ST. ANDREWS.

SCARCE any thing would have made it necessary to bring Mr. Gladstones in among the persons whose Lives I am writting, had it not pleased the King to fix upon him to be first Protestant Bishop of Saint Andrews, of his nomination. The two Tulchan Bishops wer elevated to that office by the Earl of Mortoun. Ther appears not much of any other thing, that would have brought him to [be] much noticed. I find not much either as to his piety, or ministeriall gifts, or his learning, or great capacity for managing ecclesiasticall bussines, taken nottice of by the writters of this period; however that I may draw down the series of Bishops in the Metropolitan See, during the first period of prelacy in Scotland, without a gap, I would not overlook him, especially when the giving his Life will lead me to give a good many papers and passages during his being in the See of Saint Andrews, which have not yet been published.

Aprile 4, 1730.
Reasons of
writing this
Life.

Nothing hath offered to me as to his parentage, birth, and education, and very litle hath come to my hand till he was made a Bishop. I only know that before he was transported to be minister at Saint Andrews, he was minister in the parish of Abirlott, in the shire of Angus; when

Mr. Gladstones first Minister at Abirlott in Angus.

he was ordeaned there I know not; it was but an obscure place, and I do not meet with him in our Assemblys or other Church affairs, till, I suppose, at the motion of Sir David Murray, who had a great management of the ministers of the North, and endeavoured to ply them against the ministers of the South and West, particularly of Edinburgh, that King James and the Commission of our first corrupt Assembly brought him into Saint Andrews.

Since I wrote what is above, I find from Mr. Andrew Simsons annals, that Mr. Gladstanes was son [of] Halbert Gladstanes Clerk of
^{1 See Note A.} Dundee.¹ He had his education in the Latine there, and after his University studies he had the degree of master of art bestowed upon him. After his accademicall studies wer over, he taught the languages in the shire of Angus, and town of Mouros, and very soon, while yet very [young,] he was setled minister at Saint Seres; thence he removed because of the smalnes of the stipend, to the Kirk of Saint Mary. In a few years he quitt that also, and went to the Church of Saint Kenneth, in the shire of the Merns, and from that he got himself transported to the Church of Kellie, because the stipend is better. Whether this last be likewise named Abirlott, or some of the former, I cannot tell, but I know that the names of parishes are exceedingly altered, and severalls wer annexed and both of their old names sunk in a new one.

He's transported thence to Saint Andrews, July 11, 1597.

After the unhappy 17 of December, 1696[1596], the King formed his designe with the assistance of the Octavians and other courtiers, to bring in Episcopacy, and overturn the Reformation establishment of this Church. In order to this it was necessary first to divide the ministry, and then to corrupt our Generall Assemblys, and to get the generall commission appointed of fit persons for the Kings purpose, or a generality of such. When these wer brought about, the faithfull zealous ministers, who wer in the principall and most conspicious posts, behoved to be attacked; quarrells wer with very litle shaddow of ground picked with them, and they wer sisted before the Commission of the Generall Assembly, and by them, under the pretext of keeping peace and harmony betwixt the King and the Church, they wer turned out, and sent to obscure places, and persons cut out for the present courses wer brought into their place. This was the occasion of Mr. Gladstanes, who was knowen, it seems, to

be fit for the present measures carrying on, his being brought from Abirlott to Saint Andrews, 1597. The procedure of the Commission in this matter, stands in Mr. David Blacks Life, and he and his colleague Mr. Wallace, wer turned out of Saint Andrews and Mr. Gladstanes transported to fill their rooms, July 11, 1597. Bishop Spotswood acknowledges that the reason of this was "that the town of Saint Andrews "might be provided with a peacable ministry, (that is a time serving "one, obsequious to the King's designs) and Mr. Gladstans, a man "sufficiently qualified, serving then at Abirlott in Angus was translated "and placed in Mr. Black and Mr. Wallace room, till another helper might "be found out to be joyned with him; and the Sunday following, he was "accepted of the people with great applause, Mr. Thomas Buchanan, "Mr. James Melvil, and Mr. James Nicholson entering him to the "charge." I doubt a litle Bishop Spotswood or his informers have brought in Mr. James Melvil into the number without good ground, because I observe that Mr. James in his own Life speaks with the greatest regard of Mr. Black and Wallace, and his meele Mr. Andrew, when the King and comissioners came to Saint Andrews to displace their faithfull Ministers, denounced the judgments of God publickly against them, if they repented not. Both these make it very improbable to me, that Mr. James would be active in the reception of Mr. Gladstanes at Saint Andrews.

P. 2.

This will further yet appear if Mr. James Melvil was the author of the paper, entituled Jock-upon-land letter to the Commissioners of the Generall Assembly, Agust 10, 1597, which stands in the Appendix of this Biography, as some suggest. Whether he was or not, the passage relating to Mr. Gladstanes deserves a room, and it runs: "Concerning "the second point, your (the Commissioners of the Generali Assembly,) "condemning the innocent, I pray you what just cause have ye against "your bretheren of Saint Andrews, the Ministers there, that you have so "suddainly put them from their charge, without due or just tryall, or "matter of just suspension, deprivation, or outputting from their lawfull "calling, and have thrust in upon their flocks a man corrupt and not "meet for that congregation, as we alledge? Dare any of you in good "and upright conscience say and affirm before God, and his Kirk being

Remarks on
this transporta-
tion from a pa-
per wrote A-
gust 10, 1597.

“freely conveyed together to a Generall Assembly, as I hope in God
 “one day to see you, that these men whom you have put from their
 “charges and lawfull callings are of meaner graces and less gifts to work
 “the Lords work in that congregation, than the man whom ye have thrust
 “in upon them?—or think ye, my Bretheren, that that man whom ye have
 “intruded, by his cold form of doctrine without application, which is the
 “life of the Word, is abler to work the Lord’s work there, nor the men
 “whose travails and diligence in their callings, they say might have been
 “compared with the best of you, except that they wer not tractable unto
 “prinees, neither wer they well acquainted with Placebo? My bretheren,
 “look that it frame [fare] not with you, as it fared with the sons of Jaacob
 “with their brother Joseph, who, for the graces of God in him and greater
 “affection of his father toward him, could not abide him, neither would
 “they suffer him to abide in his father’s house, which was the Church of
 “God at the time,” &c.; as is to be seen in the paper itself in the
 Appendix.

He reasons
 for the Min-
 isters vote in
 Parliament at
 the Assembly,
 1598.

Bishop Spotswood sayes indeed that Mr. Gladstanes was received at
 Saint Andrews with great applause, but that was only by on set of people in
 the town, those who had been upon Bishop Adamsons side, and against Mr.
 Andrew Melvil, for the other part of the town and the University, it does
 not appear that he was acceptable to them. Indeed Mr. Gladstanes had
 a hard pull of it as to them, when thrust in upon them in the room of two
 of the most able, learned and serious Ministers in the Church, and it
 would seem his preaching gift was no way comparable to theirs. His
 talent, it seems, lay more in reasoning, and therfor in the Generall Assem-
 bly next year, when the Ministers vote in Parliament came upon the feild,
 as will be notticed upon the Lives of most that wer on that conference,
 Mr. Thomas Buchauan, Mr. George Gladstanes, and Mr. Robert Pont
 wer appointed to reason for the affirmative. Mr. Gladstanes argument
 run thus: That the whole subjects wer divided into *tres ordines*, in
 respect of their living in the commonwealth, and therfor the Kirk must
 be one Estate, and ought to have vote, *in rogandis et ferendis legibus*.
 Mr. John Davidson answered him, as is to be seen in his Life, in Livies
 words, *præsentibus sacerdotibus et Divina exponentibus, sed non suf-
 fragia habentibus*.

After severall struggles in the next Assembly, in the year 1600, the vote in Parliament got, with no litle difficulty, the approbation of the Assembly, and the King with a corrupt Commission of Assembly, when Mr. James Melvil, William Scot, and Mr. John Carmichael, wer sent out of the Commission upon some important bussines as to the Ministers of Edinburgh, named and chused our three first Bishops; Mr. David Lindsay Bishop of Ross, Mr. George Gladstanes Bishop of Caithnes, and Mr. Peter Blackburn Bishop of Aberdeen, and appointed them to vote at the nixt Parliament, without any regard had to the Assemblys caveats and cautions, in name of the Kirk. This was done, October, 1600. What led the King to Mr. Gladstanes was wondered at by many, he having far less to recomend him than Mr. Pont, Buchanan, Nicholson, and others, now on the Kings side. It was the mean obsequiousnes and readines to follow the King and Court without reserve. He seems indeed to have been a person who stuck at nothing to carry on his present purposes.

October,
1600, named
to be Bishop of
Caithnes.

Accordingly he sat in the next Parliament and the Synod of Fyfe seems to have challanged him for it next meeting. To them he declares it was against his mind, and seems to oun a fault and was passed. I give it in Mr. Calderwoods words: "The Synod of Fife convened at Saint Andrews the 3 of February, 1601, before the ordinary time. Mr. John Hamiltoun the apostat taking to him the name of John Thomson, was excommunicat. Mr. Robert Abercrombie taking to him the name of William Simson, was declared not to be of our society. Mr. William Dalziell was deposed for two great familiarity with Mr. John Hamiltoun and not revealing him, item for insufficiency to bear the office of the Ministry. Mr. George Gladstanes Minister at Saint Andrews, confessed that he sat in Parliament, and answered with the name of Bishop, but against his will, as he alledged, because they would not name him otherwise."

Acknowledges
his sitting in
Parliament as
Bishop to the
Synod, Feb.
1601.

Litle offers to me after his being made Bishop of Caithnes, concerning Mr. Gladstanes, save his common appearances at debates joyntly with the rest of the Bishops and Commissioners of Assembly, who favoured them in their meetings with the Ministers who stood for the discipline and government of the Church. These stand fully in Bishop

Appears with
the rest of
the Bishops
in conferences,
1603—6.

Spotswood, Mr. James Melvil and other Lives which follow, and I do not bring them in here, because Bishop Spotswood and others seem to me to have had a greater share in the reasonings than Bishop Gladstanes. What is peculiar to him I shall give from the 1606, and downward from severall copys of his letters to the King, and some originalls, which have not yet been published, and will best let us in to his share in affairs.

August, 1604,
he subscribes
the Confession
of Faith in the
Presbytery of
Saint Andrews.

He remained still Minister of Saint Andrews after he was Bishop of Caithnes,—that is, had an assignation to the rents, and voted in Parliament. He was, it seems, designed for Saint Andrews Bishoprick, after the King went to England; and went up to Court in August, 1604, that he might be nominat Archbishop of Saint Andrews. Before he went, the Presbytery of Saint Andrews ordered all their Members to subscribe the Confession of Faith, and he signed it without the least scruple. This, in the vew of the Presbytery, was the greatest human security they could have, that when he went up to Court he should do nothing prejudiciall to the Government of the Church established. Every body at this time belived that by renouncing the Romish Hierarchy, Prelacy was directly renounced, and by the promise of menteaning the discipline of this Church, the Presbyterian Government established since the Reformation was meant. But the Bishop stuck not upon oaths and subscriptions, at least he did not understand these expressions in the ordinary sense they were now taken, in which case he ought certainly in fairnes have declared his taking them in another sense than they wer commonly understood. Mr. Calderwood gives us the extract of the Presbitry Registers upon this head signed by the Clerk as follows :

Extract from
the Registers of
the Presbitry
as to this,
August 2, 1604.

“ At Saint Andrews, August 2, 1604. The whilk day after incalling
“ of the name of God, the bretheren being lawfully conveyened, the Con-
“ fession of Faith authorized in the Kirk of Scotland was presently read
“ in the audience of all, together with the Act of Parliament, holden at
“ Edinburgh, 1592, for explanation of the said discipline generally
“ authorized in the Confession of Faith, whilk by the forsaid Act of Par-
“ liament, is ratifyed and confirmed, namely, in the liberty of General
“ Assemblys once every year, Synodalls, Presbitrys, and particular Ses-
“ sions of Kirks, derogating from all Acts made of before, in prejudice of
“ the same, and declaring the present discipline, used in the Kirk of Scot-

“ ‘ land, and approved in the Act forsaide, to be only godly, just and lawfull
 “ ‘ in all times coming, as it is at more leuth conteined in the Act of Par-
 “ ‘ liament forsaide ; whilk Act and Confession, being ripely advised and
 “ ‘ considered, was publickly subscribed by uniform consent of the whole
 “ ‘ bretheren. To testify their harmony and hearty agreement in all
 “ ‘ things concerning doctrine and discipline, promising solemnly alwise to
 “ ‘ defend the same, according to their callings and never to come in the
 “ ‘ contrair, according to the great oath set down in the said Confession of
 “ ‘ Faith, which first the Moderator subscribed, and then Mr. George
 “ ‘ Gladstanes, Minister of Saint Andrews, Mr. Robert Wilky, Rector, and
 “ ‘ so every one as they sat in their places, as is contained in the principall
 “ ‘ subscribed be the Bretherens hands in particular.’ Extract per me

“ ‘ Mr. Robert Rough, at command of the Presbitry.’ ”

The Bishop was nominat by the King, Bishop of Sant Andrews and came home in the beginning of the 1605. The first meeting of the Presbitry he made the following declaration to the Presbitry, which Mr. Calderwood gives from a subscribed extract from the Presbitry records. His declaration in Presbitry on his return after he was nominat Archbishop of Saint Andrews, January, 1605.

“ ‘ At Saint Andrews, January 10, 1605. The which day Mr. George Gladstanes being returned from England, declared in the presence of
 “ ‘ the whole bretheren of the Presbitry that as he departed a brother so
 “ ‘ he returned, usurping no superiority over them, claiming only a single
 “ ‘ vote as the rest, promising to behave himself in else great humility, and
 “ ‘ greater than ever before, and wheras he departed not advertising the
 “ ‘ Presbitry, he desired they should not be offended, because the commo-
 “ ‘ dity of his journey so required that he could not advertise them ; of
 “ ‘ which declaration and excuse the Presbitry accepted.’ Extracted by

“ ‘ Mr. Robert Rough, Clerk, at the command of the Presbitry.’ ”

Mr. Calderwood remarks after he hath given these extracts, “ ‘ Mr. George Gladstanes, after he had changed four flocks and two Bishop-
 “ ‘ ricks, and had sworn that he should never be Bishop of Saint Andrews,
 “ ‘ because the Bishops of that See, had made so evil an end, and wer so
 “ ‘ much hated ; yet even at that same time he came home Bishop of Saint
 “ ‘ Andrews. Some gentlmen his favourers, and others who had hope of

Mr. Calderwood observe on these.

“ advancement by him, asked him how he could bear with the Presbitry; “ he answered, Hold your tongue, we shall steal them off their feet.”

His letter to
the King, Feb.
9, 1606.

In the year 1606, when the Parliament was approaching, wherein the Bishops wer to be restored to their dignitys, Mr. Gladstanes signs himself Bishop of Saint Andrews. I suppose he was taken from Caithnes to that, by the Kings letter, some time before, though I have not mett with the preeise time. I shall insert his letter to the King, Edinburgh, February 9, this year, from the originall.

“ Most Sacred Sovereaigne,

“ It may please your most exeellent Majesty, I have seen your “ Majestys direction sent to the Earle of Dumbar ament Mr. David “ Lindsay his temperance in preaching, I have taken boldnes to give “ answer and advice in most humble and submiss manner. The man “ was imput be your Majesty upon my rash and oft repented of suit. He “ has oft done well against the seditious albiet inconstantly. The words “ he spake to my great greife wer to reprehend your Majesty for tollera- “ tion and advancing of Papists, wha evir sought your Highnes wrack, “ and this was after I had congratulat to the people your Highnes won- “ derfull delivry. After sermon I conveyed the Bailays and Council, “ and sent them to him to quarrell him for his unreverend usage, whilk “ wrôt this effect, that the day following he preached a palinode, so “ impudently flattering to your Majestys praise, and vilipending all the “ princes of Europ by name, in your Majestys respect, that all men “ esteemed he was making pennance for the former days insolence with “ supererogation. Thus this folly is not worthy of your Majestys wrath, “ and as for me I will not give advice to honnour such an one with pub- “ lick censure at such a time. I have advised with your Majestys most “ trusty servants of our society, who think it meet to transport him to a “ landward Kirk, and to assume to me one wise and fast, which your “ Majesty shall see accomplished, but your Majestys empeachment. My “ Lord of Dumbar has employed himself so faithfully, effaldly and “ fortunatly in his late service, that I presume to advise your Majesty to “ give him credit in your Majesty’s service, in our greatest turn in this “ part, for whatsoever is glanced to your Majesty in the contrair, is either

“*pannici terrores* or prævarication. Sire, I lake moen to do what I would
 “in your Ma^{ty}s. service. I hear daily foul vanitys whilk, [I think,] I
 “am called to repress. I want formall right and rent. Supply this, sire,
 “in this your approaching court, and then ye shall not need to write
 “thither, but the punished shall seek thither toward your Ma^{ty}. for
 “obteaning pardon. Finally, your Ma^{ty}s. errands in the credit of the
 “Earle of Dumbar, or of any one in the like disposition, is here possible
 “and easy; *non debet sub tali tantoque principe præcarium esse im-*
 “*perium*. This, I humbly recomend your Ma^{ty}s. person and estate to
 “God his mercifull providence. I remain,

“Your Ma^{ty}s. most humble orator,

“and obedient servitor,

“Edinr. Feb. 9, 1606.”

“SAINT ANDROIS.”

I will not undertake to explain these letters I am giving; its my Observes on it.
 work to give them as I find them. Mr. David Lindsay here spoken of
 was minister at Saint Andrews, and named by the Bishops, as we shall
 see in Mr. John Murrays Life, to succeed him at Leith; the Bishop
 highly recomends the Earle of Dumbar, and indeed the setting up of
 Bishops was very much owing to him; the Bishop is earnest for the right
 and rent of the Archbishop, by the Act of Parliament at Perth, and he
 seem to have had the knack of writting to the King in his own pedantick
 way.

I meet with an originall letter of Mr. Gladstanes with the rest of Letter, Mr.
Gladstanes and
others, March
15, 1606.
 his bretheren, for he is not yet Bishop by Act of Parliament, far less any
 Church deed, in the Lawers library, dated the 15 of the next moneth,
 which runs thus:

“Most Sacred Sovereigne.

“Having felt by experience that thir jealousys betwixt us and the
 “counselours, have been very prejudiciall to your Highnes service, and
 “furnish matter to the seditiouse, both in the Kirk and policy to hold
 “forward their maliciouse attemptates for disguisting both the partys,
 “whose food[?] as they fostered, so they sought the wrack of both, we thôt

“ fittest to redintegrat old freindship, and to remove all occasions of
 “ suspiciouns; *amici novi non sunt veteribus antepoenendi*, and its found
 “ in a naturall as well as politick body, *consueta insuetis meliora licet*
 “ *deteriora*, upon which ground conference is drawn on betwixt us and
 “ my Lord president, this Friday the 14 of this instant, wherin we have
 “ made discovery each to others of the sinister suggestions, calunnies, and
 “ causes of misconstructions, wherby with to great credulity on both sides
 “ we have been distracted. That matter is fully quieted with great
 “ contentment and mutuall satisfaction, while we espy what hinderance
 “ to your Highnes service this has wrôt, and how effectuall a mean our
 “ rejoyning shall be to the unresistible prosecution of all your Ma^{ty}s
 “ princely designs. The troublers would never have presumed on such
 “ licentiousnes, either against the state or our persons, if they had not
 “ fancied that in annoying us they pleased the statesmen; but by God his
 “ grace they shall be catched in their own snares. Your Ma^{ty}s coun-
 “ selours, civil and ecclesiastick, shall sing, *Ecce quam bonum et quam*
 “ *jucundum, &c.* We desire to survive those broyles, that by our loyall
 “ service we may according to our places exoner your Ma^{ty}. of these
 “ unseiming fasheries, and in some measure acquyte your Ma^{ty}s constant
 “ and undeserved affection to our estate and persons. Referring furdur
 “ to your Ma^{ty}s faithfull servant, Laurieston, we humbly beseek God
 “ for your Ma^{ty}s peace and happynes.

“ Your Ma^{ty}s humble servitors,

“ and daily orators,

“ SANTANDROIS,

“ GALLOWAY,

“ A. FORBES CATNES.”

“ Edinr, 15 March, 1606.”

“ Most Sacred Sovereigne,

“ It may please your most excellent Majesty, albiet the bearer
 “ hereof Mr. Patrick Lindsay, and Mr. Arthure Fethey, for whom
 “ he also takes dealing, have by their honest and loyall service to your
 “ Highnes, obtained such good liking and acceptance of your Ma^{ty}.

" as they need not the recomendation of any, yet I have taken the
 " boldnes to give my testificat of their constant and unaltered prosecution
 " of all your Ma^{ty}s. services, in semblable manner, as they did when
 " we had the fruition of your Ma^{ty}s. most comfortable presence. Many
 " does eye service, but these be affectioned and stout souldiers, and
 " such as are requisit for the metropolitan of North Brittain, who cannot
 " fight but a back, as your Ma^{ty}. knowes. The main suite they are
 " to propound to your Highnes, will be an encouragement to continou
 " them in their wonted fidelity and forwardnes, rather than the just value
 " of their service. I will not impesch your Ma^{ty}. with the repetition of
 " these instructions anent the commone[[?] communion]service, committing
 " the samine to your Ma^{ty}s. royall sollicitude, and to my Lord of Glasgow
 " his sufficiency; only this, if any by importunity have purchased reser-
 " vations, wherby your Ma^{ty}s. princely designe will be stained, and we
 " made rather notional (perhaps, nominall) than real Bishops, y^t it would
 " please your Ma^{ty}. to discharge the same, for it will be needles to
 " buy this work from any moe. All are ready to obtemper your Ma^{ty}s.
 " direction in that behalf, who are of any moment. Mr. Andrew
 " Melvil hath begun to raise new storms with his eolick blasts. Sr, you
 " are my Jupiter, and I under your Highnes, Neptune. I must say,
 " *Non illi imperium pelagi sacrumque tridentem, sed mihi sorte datæ.*
 " Your Majesty will relegat him to some Æolia, *ut illic vacuâ se jactet*
 " *in aulâ.* Thus the Eternall preserve your Ma^{ty}s. most royal person
 " and state forever. I remain,

P. 5.

" Your Ma^{ty}s. most humble servitor,

" Edinr. 19 Junii."

" SAINT ANDROIS."

The great subject of the Bishops letters was recommendations of
 persons, who wer active for them to the King, for gratifications, and com-
 plaints against such as wer zealouse against them, as Mr. Andrew
 Melvil, and such as he. By this time the Kings letter was come down
 calling Mr. Andrew to court, and the Bishop in this letter endeavours
 that he shall never return to Saint Andrews, which he never did. The
 Archbishops making the King Jupiter, and himself Neptune, that he

Remarks on
it.

might pun upon a verse of Virgil, might please the King, but few else will admire it, and [we see] that the great managment of things was in Bishop Spotswoods hand.

The Bishop
endeavours to
stop Mr. James
Melvil from
arriving to the
Parliament at
Perth, 1606.

Mr. Andrew and James Melvil, with the rest of the eight ministers wer called up to London, May this year, as will be seen in their Lives. The Earle of Dumbar pretended to Mr. James, that this was his plott for the Ministers advantage, but from the nature of the thing, the event, and thir letters of the Bishops, we see the Earle of Dumbar was intirely under the Bishops management. However, about this time the Earle called Mr. James Melvil to him, and assumed the honnour of calling the Ministers to London to him, and said the Bishops wer against it. He asked Mr. James if he was to be at the Parliament at Perth, and Mr. James said he was. The Earle told him that the Bishop of Saint Andrews had dealt with him to discharge them from coming to Perth, but he would not.

Presentation,
King to the
Bishops, its
form App. No.
1.

The procedure of this Parliament about the Bishops and their restoring them to their dignitys and offices, stands in all our historians. They gote presentations from the King to their benefices, and, *mutatis mutandis*, they wer much of one form. Mr. Calderwood hath preserved the tenour of one of these presentations, which I have not any where else, and therfore I place it in the App. No. [I.] and I'le add the remarks Calderwood gives upon it. He observes, "That there is a manifest untruth in the presentation when it bears that the Bishops wer recommended, by the Generall Assembly to the King while the Assembly did no such thing, and they neither wer acquainted with the presentation, nor accepted of it. 2. The Bishops are presented to all fruits, rents, teind shaves, and small tythes, within the whole bounds of their Bishopricks, which cannot stand with the law of God or man. 3. They are provided to whatsoever priviledges and immunities, any of their predecessors had any time heretofore; this is express against Gods law, derogatory to the discipline of the Kirk, and against the priviledges of his Majestys crown, and also derogative to the erection of the commissariots, which is one of the cheifest judicatorys of Scotland. 4. They are provided to all superiorityts, lordships of lands, regalitys, presentation to all benefices whatsomever, which

With Mr.
Calderwoods
remarks on it.

“wer at their gift of old. What can this be else but the erection
 “of tyrants in the Kirk of God? by this form of preferment ransversing
 “all the order of discipline of the Kirk, that hath these forty six
 “years, with the great blessing of God, been exercised within this
 “Kirk. 5. They are licensed by their provisions to lift up the rents
 “of all their Kirks, and pay stipends to Tulchans to serve the turn,
 “which is blasphemy to permitt, being so directly contrary to Gods
 “law. 6. They are provided with all libertys, dignities, homages,
 “priorities of universities, schools and hospitalls, and priviledges what-
 “soever, given or granted unto them by whatsoever persons their
 “foundators of old, notwithstanding the Act of Annexation, or whatsoever
 “other Act, Law, or Constitution, made in the contrair, hertofore.
 “Is not this form of erection the erection of a papisticall Bishop?”

Upon the 15 of Agust, 1606, Mr. Andrew Melvil, with the other seven Ministers, went for London, upon his letter. Upon the 24 of Agust, Mr. G. Gladstanes informed the Presbity, that he was sent for by his Majesty and to take journey to London. He asked wherein they would imploy him; they charged him before God that neither directly nor indirectly he do any thing to the prejudice of the discipline established, which he promised solemnly, in the presence of the whole bretheren, adding that he would do nothing but what he should be answerable to God for, and to his Kirk, and for which he should be welcome to the Presbity again, and wherof he should not be ashamed to be spoken of either now or hereafter by posterity, taking God for witnes that he never minded the alteration of the discipline of the Kirk. When at London, he and the rest of the Bishops had the conference with the Ministers before the King, accounts of which stand in Mr. James Melvils Life. They laid the project of bringing in constant Moderators, at the convention at Linlithgow, and Bishop Gladstanes took such measures, as Mr. Andrew Melvil should not come back to Saint Andrews.

Next year when the Generall Assembly should have met, as the Ministers were made to hope, the Bishops got it delayed. They and some of the Ministers who favoured them continued to meet as Commissioners of the Generall Assembly, thô Mr. Calderwood recons their commission expired long before this, and did as they thought proper in the

His protes-
 tations before
 the Presbity,
 Agust 15, 1606,
 before he went
 to London.
 P. 6.

The Bishops
 letter, June 8,
 1607, to the
 Earle of Dum-
 bar giving ac-
 count of things
 at this time.

affairs of the Church. I have before me a letter from the Archbishop and some of his suffragan Bishops, to the Earle of Dunbar, their great favourite at Court, giving an account of one of their meetings and procedure in it, toward the beginning of June, which deserves a room here, and hath not been as yet published :

“ Please your Lōp., Our bounden duty heartily remembered.
 “ After the dismissing of the rest of the Commissioners, when we had
 “ taken order for the planting of Edin^{burgh} and the Kirks of the banished
 “ bretheren, according to his Ma^{tyes}. directions, so far as could be
 “ at this dyet, we wer assembled apart with my Lord President, who
 “ having made us ample relation of the constancy of his Ma^{tyes}. gracious
 “ affection towards us, and every one of us, and of his princely and
 “ fatherly care towards the setling of a solid order within this Kirk, for
 “ the strenthening of the gospell and repressing the pride and platts of
 “ the adversarys, and having likewise shawn us what confidence his
 “ Ma^{ty}. had in us, for the furtherance of his godly intentions; and
 “ in his Majestys name, exorting and steiring us up to such a carefulnes
 “ and diligence in all the parts of this Ministry and credit, as that we
 “ might be able therby, according to our duty, to be answerable to this
 “ his Ma^{tyes}. good expectation of us. We canot sufficiently express
 “ what matter of joy it was to our hearts, and of thanksgiving to God,
 “ and what a spurr to fervency and forwardnes in our callings, in sick
 “ sort that even then we resolved before our dissolving to conclude and
 “ condescend upon the best and most effectual course that might further
 “ this service, with solemn attestations that we should not be found in
 “ any wise remiss, so far as it should please the Lord to enable and assist
 “ us by his grace; wheranent, we must confess, my Lord President hath
 “ been to us a very great help, as well in laying down the grounds of our
 “ proceedings, as in stirring us up to painfulnes and diligence, so that
 “ we cannot but give his Ma^{ty}. hearty thanks for imploying so meet an
 “ instrument to assist our good courses in your Lordships absence.
 “ Especially we have agreed that the whole country being divided into
 “ parts according to our number, every one of us shall have a secret
 “ oversight and care of a severall part and without respect of travails or

“ expenses, we shall be carefull from week to week to inform ourselves
 “ perfectly anent the state, actions, and plats of all the Presbitrys and
 “ pastors within the bounds of y^e part committed to every one of us;
 “ and every six weeks at the least, and oftener, *pro re nata*, we have
 “ appointed to keep a meeting of the whole number or of the most part
 “ of us, wherin we intend to communicat our intelligence mutually, and
 “ to consult on the most expedient way to dissipate and frustrate the
 “ platts and practises of the turbulent, that the good and peaceable be
 “ not overthrown and discouraged, nor their calme and godly courses
 “ interruptit, and as we find any occasions of importance your Lordship
 “ shall be advertised therof, God willing, from our said meetings for his
 “ Ma^{ty}s. information. By and attour this generall, we have with long
 “ deliberation, we have considered what is most requisit for his Ma^{ty}s.
 “ service and well of the Kirk, to be done concerning this next Assembly,
 “ and as we find his Majesty has thought it requisit that the same be
 “ continued for a certain term, so have we all seen evidently the necessity
 “ therof, and therfor wish the intimation of the said continuation to be
 “ published by proclamation as his Ma^{ty} has determined, and the
 “ causes of the continuation to be as here is subjoined in this or the like
 “ narrative: ‘ Forasmuch as his Majesty, understanding what great incon-
 “ venients the dissentions among the Ministry within this Kingdom
 “ brought with them to the hinderance of the progress of the gospell, the
 “ dishonour of their profession, and the strenthening of the hands
 “ of the enemy, has therfor, of his princelie and fatherly care and affection
 “ towards the promotion of the gospell and well of this Kirk, essayed
 “ many and diverse means to quench all fire of division among the said
 “ ministry and to advise them to the unity of one mind and affection,
 “ and at last appointed a grave, frequent and free Assembly, to be holden
 “ at Linlithgow in December last, of a great number of the most godly,
 “ zealous and well affected of the Nobility, Councill and Barrons, from
 “ the diverse parts of the country, as also of the most learned, godly,
 “ wise, grave, and of the best experience of the Ministry, from all the
 “ Presbitrys in great number, by whose travails, care and wisdom, every
 “ occasion and pretext of greive was in such godlynes and moderation
 “ removed that, as his Ma^{ty} found therein contentment, so was all the

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“ “ conclusions of the said Assembly passed with great applause, and for a
 “ “ time great thanks to God and praise to his Ma^{ty} wer given publicly
 “ “ in the most famousse congregations of the whole country, with great
 “ “ expectations, that from that time forth, throw the keeping of the con-
 “ “ clusions of the said Assembly, nothing should be found in the meetings
 “ “ of the ministry but unity, peace and love ; wherupon it was agreed and
 “ “ concluded, by his Ma^{ty}s allowance and warrand, that the next G.
 “ “ Assembly should convene and hold at Hallyroodhouse the first Tuesday
 “ “ of July next to come. But finding the event contrariouse to all that
 “ “ was apperand or looked for, and that throw the bussiness of some evil-
 “ “ disposed, turbulent and contentiouse spirits, the godly proceedings of
 “ “ the said Assembly are traduced and brought into contempt, and in
 “ “ diverse places no obedience but plain resistance made to the acts therof,
 “ “ wherthrow ther is not only cause of offence given to his Majesty, but
 “ “ also such distractions and acerbation of minds entered in among
 “ “ Ministers as could bring no other effects but such as should be an hin-
 “ “ derance to the gospell, a sclander and further occasion of strife and
 “ “ division, and strife among themselves, and a confirmation of the
 “ “ adversaries, in case any G. Assembly of them should be holden before
 “ “ that some due and lawfull preparation wer made, first for removing
 “ “ of their distractions and bringing them to an harmony of minds ; for
 “ “ effectuating wherof, his Majesty hath found it expedient that the hail
 “ “ provincially Assemblies in the country should be holden at their ordinary
 “ “ place of meeting on the day of Agust next, and that in every one
 “ “ of the said meetings ther should be chosen two of the most godly,
 “ “ peacable, wise, grave, and of best experience, with power and commis-
 “ “ sion to convene at Hallyroodhouse, the day of next
 “ “ coming, with the remanent Commissioners of the provinces, and with
 “ “ the Commissioners of Assembly, and such of his Ma^{ty}s Councill as
 “ “ it shall please his Majesty to nominat for that effect, and ther to
 “ “ conferr, reason, and conclude, with common advice, upon most con-
 “ “ venient remedies agst the evils that, throw laik of sufficient preparation,
 “ “ might fall out at the said G. Assembly. That thereafter the Assembly
 “ “ may be holden and kept in such a peacable and godly manner as might
 “ “ bring a true comfort to the godly and a terror to the wicked ; and in

“ the meantime the G. Assembly whilk was at Linlithgow appointed
 “ to be holden at Hallyroodhouse the last day of July, be continoued till
 “ the day of next to come, and that no person presume to
 “ keep the said Assembly, while first the said preparation have passed
 “ before.’ Upon this or the like narrative, bearing the said causes, the
 “ charge in the proclamation would be founded. What hath been done
 “ by us and the rest of the Commissioners anent the planting the Kirk of
 “ Edin^r and the Kirks of the bretheren that are bannished, as like-
 “ wise in the visitation of the University, we remitt to our other letters
 “ sent up in this packet. Thus, praying to God continoually for the long
 “ continuance of your Lordships good estate, and increase of all blessings,
 “ We humbly take our leave, and rest,

“ Your Lōps very assured to the
 “ Outtermost of their powers.

“ SAINT ANDROIS

“ AN: YLES

“ ROSSE

“ CAITHNES

“ BREICHEN.”

“ Hallyroodhouse,

“ June, 8, 1607.

“ Directed, To the Earle of Dumbar.”

Its very plain from this letter what great pains and diligence the Observes on it.
 Bishops wer at in all corners of the country, to bring over Ministers to
 their present courses. In this indeed they wer indefatigable, and having
 the King and Courtiers to joyn issue with them, we need not wonder that
 by privat dealings, conferences, and continouall ofputs of the Generall
 Assembly, they at lenth carryed their point. It will further be observed,
 that it was by letters sent to Court by the Bishops that our Generall
 Assemblies, corrupt as they wer, from time to time wer delayed, and the
 very termes prescribed in Scotland by the Bishops wer kepted exactly, in
 all the proclamations and publick letters sent from the King at this time,
 as will be plain by comparing this letter and others, with the King’s pro-
 clamations and letters sent to the Privy Council.

The Parliament was now soon to meet in Edinburgh, in the begin-
 ning of Agust, and there the Bishops, to their outmost, laid out them-
 selves before

The Bishops
 letter to the
 King before

the Parliament, July 20, 1607. selves each to forward the taxations and other projects of the King and Courtiers. The Bishop of Saint Andrews interpones his advice and sentiments as to the approaching Parliament in his letter, dated July 20, this year, which is as follows :

“ Sacred Sovereigne,

“ May [it] please your most excellent Ma^{ty}, I am bold to
 “ propone an advice to your Ma^{ty}, that since now ther is a Parliament,
 “ and your Ma^{ty} has thôt meet by degrees to accomplish your just design-
 “ ament anent our Kirk policy, that some progress may be made at this
 “ present, the summ wherof I refer to these two articles which I have
 “ indyted and sent to your Highnes that these may be enacted in
 “ this present Parliament. I presume thus to impeasch your Ma^{ty}
 “ that no occasion of advantage may be slipped, and I would wish that
 “ your Ma^{ty} would return direction of these two articles with all pos-
 “ sible expedition. I received from your Ma^{ty} a direction anent
 “ Mr. William Scot, Minister at Coupar, that the Bishop of Dunkeld, the
 “ Lord Scoon and I should report to your Ma^{ty} whither his presence
 “ here might be beneficiall to the peace of the Kirk and your Highnes
 “ service, that therupon your Ma^{ty} might prorogat his license of abid-
 “ ing here, upon our good report. S^r, if I had been put in trust alone,
 “ I would have been bold to have returned my service, for I protest I stand
 “ in awe of none but God and the King. My Lord of Dunkeld is sick
 “ and bedfast, and my Lord of Scoon is there. I presume in their absence
 “ most humbly upon my knees to beg of your Ma^{ty} that since Mr.
 “ William Scot is come thither, he may have of your Ma^{ty} prorogation
 “ of his remaining here, till some reasonable day that may give some
 “ occasion to us to explore his disposition and usage in such sort as
 “ we may give upon good grounds an sufficient report to your Highnes,
 “ which may move your Ma^{ty} to continou him here or remove him ;
 “ thus for the present it may please your Highnes to give him a supersedere
 “ in write, with such confyning as your Highnes thinks meet for an
 “ untryed man. S^r, I yearn to see the day wherein the verity of Kirk
 “ Government may be discussed and explained to the Estates of this
 “ Kingdom, wherein I offer no less press than my place is, and this

" I think the fittest mean for setting the Estate of this Kirk. I humbly
 " take my leave, and with all affection recomends that sacred person in
 " body, soul and government to Gods grace and blessed protection, and
 " shall remain your Ma^{ty}s.

" Most humble and obedient

" Servant and orator,

" Saint Andrews, July 20, 1607."

" SAINT ANDROIS."

" P. S. Please your Ma^{ty} to send precise direction anent the
 " ranking of Archbishops with the Nobility, and of the Bishops, and to
 " give order either in the old Scottish form, or the English manner, as
 " your Ma^{ty}s. incomparable wisdom shall command as fittest."

We see that not only the forms of proclamations, and of the Kings letters to the Council are sent up by the Bishops and come down again without change from the King, but also Acts of Parliament. The one of these the Bishop [mentions?], I suppose was that about the Chapter of Saint Andrews which will follow afterwards; what the other was I am not positive. We see how cautiously the Bishop writes about Mr. William [Scot of] Coupar. He seems displeased that he was not alone consulted in that matter. In Mr. Scots Life we shall find ther was not the least fault to be laid to his charge save his opposition to Prelacy, for that he must be confyned and, unless the Bishop please, bannished out of his native country. We shall see by Mr. Calderwoods account what was done as to the Bishops postscript.

Remarks on it.

Upon Saturday the 1 of Agust the Parliament sat down in Edinburgh. Mr. Calderwood tells us, the Kings Commissioner, Ludowick, Duke of Lennox, propounded to the Nobility convened with him, that the two Archbishops should have the first place and ride next the honnours. The most part of the ancient Nobility wer absent; the most part present wer lately nobilitat. They granted liberally the place to all the Bishops, but in derision, thinking they would not accept of it, but they accepted of it as freely as it was offered; so they rode and sat in Parliament with great derision and detestation, but ambition and advancement made them senses

Parliament sit down, Agust 1, 1607.

Two Archbishops ride next the Honnours.

Bishop Glad-
stanes sermon
before Parlia-
ment, on 2d
Chronicles xix.
4, 8, &c.
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Before the Parliament entered upon matters, Mr. George Gladstanes made a harrangue which was called the Bishops sermon. He chused for his text, 2 Chronicles, xix. Mr. Calderwood gives us the most remarkable observations he had as follow :

“ ‘ Verse 4. Jehosophat brought them again to the Lord God of their fathers.’ Here he [re]futed the errour of those who, with Donatus, said, *Quid imperatori cum ecclesiâ*, and affirmed these positions :
“ ‘ 1. That the prince only hath power to convocat Ecclesiasticall Assembly, for confirmation wherof he cited Beza. 2. That the prince may not only *interesse* but *preesse*, and be Moderator in Ecclesiasticall Assemblys. 3. That the prince may judge and cognosce in matters mere spirituall either by himself or by his commissioners or delegates.’

“ Upon 8 verse. ‘ Jehosophat set of Levites,’ &c. There he spoke of the ranks and degrees of the Ecclesiasticall persons and affirmed, that since God had a Kirk on earth, ther wer ranks in it. Here he affirmed these positions : ‘ 1. That the Lords Levites was a style of scripture given to the fathers of the Kirk. 2. He thanked the Estates and Lords who had restored the Bishops to their ancient dignity, which by injury of time, through ignorance of the people who wer not rightly instructed, was kept back from them. 3. He called them rascalls that mislead the people and opponned themselves hereunto. 4. He affirmed that it was lawfull and pertinent to Ecclesiasticall persons to meddle in civil affairs, and to be Counselours to Kings. 5. He alledged this judicature constitute by Jehosophat was mixed with civil and ecclesiasticall Levites and Elders, and for proof of that he said the subject was betwixt blood and blood, which, added he, was a criminall cause. 6. To the same point he alledged that to Achitophell in the councill of David succeeded the priests Zadock and Abiathar. That when Christ said, Who made us Judge over you, he so said because he had no commission of Cæsar, otherwise he would not have refused to be Judge ;’ in short, he neither prayed nor uttered one petition to God, but used this speech, Let us pray that God will, &c. ; and in handling of the above named points he frequently interlaced these words : They will call me here a lying and flattering Bishop, but its not I, but the Spirit of God that lyeth and flattereth, if any be.”

At this Parliament an Act was made concerning the Chapter of Saint Andrews, and since it was made, as we have seen, at the Bishops desire and formed by himself to lodge the power of the choice in his hands and its but short, I give it here from Calderwood. “Forasmuch as the conventuall Bretheren and Canons of the monastery of Saint Andrews wer the ancient Council and Chapter of the Archbishop, who are now decaying, and few of them being alive, like as the priorie and the fruits therof are to be erected in a temporall Lordship, and necessary it is that the said Archbishop should have a constant Chapter according to the ancient Policy of this Kirk and fundamentall lawes of this Kingdom: THERFOR our Sovereigne Lord, with advice of the Estates of this present Parliament gives, grants and committs full power to George, Archbishop of Saint Andrews, to elect and nominat seven qualified persons at the least, dwelling and having charge and administration within his diocie, to be the perpetuall Convent, Counsell and Chapter of the said Archbishoprick in all time coming, and after the decease or removing of any one of them from the said place, the intrant succeeding to the said charge or place, to succeed it so in that room of the Chapter or Convent, and yet, nevertheless reserveth to the said Archbishop and his successors their ancient priviledge, to witt, that the common seal of the said Chapter, to be made of new by their own advice, shall serve for their own consents without their subscriptions. Attour, its found and decerned that the present common seal of the said Chapter, being appended to the evidents and rights already made and granted be the said Archbishop, has been and shall be, in all time coming, a sufficient and perfect consent of the Chapter, and as effectuell for securing the vassalls and tennants, receivers of the said rights, as the samine has been in any time before, for consent of the said Chapter, aye and while the election of the said Chapter, and making of the said new common seal.”

Act of this
Parliament im-
powering the
Bishop to name
the Chapter of
Saint Andrews.

The Synods came to meet after the Parliament was up. I shall only give account of the Synod of Lothian [Fife,] wher Bishop Gladstanes was to be placed constant Moderator. They met at Dysart, Agust 18, 1607, and four Commissioners from the King wer sent to see the Archbishop received Moderator, tho the constant Moderators wer only spoken

Procedure,
Synod of Fife,
Agust 18,
1607, about
receiving the
Bishop their
Moderator.
P. 11.

of for Presbitrys and not Synods, at Linlithgow, and the imposition of these on Presbitrys and without all rule upon Synods, was what bread all the disquiet in the Church, complained of in the proclamation continuing the Generall Assembly, though there all the blame is laid on the Ministers. But the Bishops at present wanted pretexts, wherupon to delay the Generall Assembly till they had matters ripped a litle for their purpose. I shall give the proceedings of the Synod of Fife, as to Bishop Gladstanes being Moderator, in Mr. Calderwood's words: "The Kings Commissioner to place Bishop Gladstanes Moderator was, Lord Lindsay, Lord Hallyroodhouse, Lord Scoon, Lord Collector Mr. John Preston. The Lords and the Bishop had designed Mr. John Mitchelson, minister at Burntisland, to preach, but Mr. William Cranstoun Minister at Kettle, Moderator to the last Synod, was ready, and when walking in the session house at his meditation, he found himself troubled with the closenes of the air; he went out of the session house to the pulpit, partly for more open air, and partly that his affections might be stirred up with singing the psalmes, not knowing that any other was appointed by the Commissioners to preach. While he was sitting in the pulpit, a messenger was sent unto him with a letter: he received it and put it up in his pocket, not having laizour for other thoughts to read it. In a litle while another messenger is sent in the Lord Commissioners name to bid him come down. He answered him to that place, in the name of a greater Lord, whose message he had not yet discharged, and with that named a psalm to be sung, because he saw the people to be somewhat amazed. Then one of the bailays came and rounded in his ear that he was commanded by the Lords to desire him to come down. He answered, I command you in the name of the Lord to sit down in your own seat and hear what God will say to you by me. The bailay obeyed at last. When he was entering upon his prayer, the Conservator of the priviledges of the Merchants in the Low Countryes, being a Counsellor at that time, went to him, and rounded his ear, desiring him to desist, for the Lords had appointed another to preach. But Mr. William Cranstoun answered, The Lord and his Kirk hath appointed me, therfor bewar ye trouble this work. Neither the Bishop, nor any of the Commissioners, the Lord Lindsay only excepted, would come to hear him. The Bishop like a subtil serpent esheued

“ charming. After the doctrine, the ministers sat down in the Assem-
 “ bly. Mr. John Coudon, minister at Kinrossher[?], occupied the place
 “ of the last Moderator when the doctrine was censured. The Moderator
 “ said an Atheist could not have done more than he did. The grave
 “ Bishop thinking that he had directly called him an Atheist, turning him to
 “ Mr. John Coudan, said, Thou profane dog, if thou had not been an wild
 “ beast, thou would not have called me an Atheist; I am as honest in my
 “ calling and room as any minister here. The King’s Commissioners
 “ wer forced to say he was unworthy to be in the number of ministers,
 “ let be to be Bishop or constant Moderator over them, seing he could
 “ not moderat his own passions. Mr. Coudan replied, Well, sir, your
 “ pride I hope shall get a fall; I saw the judgment of God on your
 “ predecessor, and I belive to see the like upon you if you amend not.

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“ The bretheren wer offended both with the one and the other, Mr.
 “ William Cranstoun after his censure entereth into his own place again,
 “ and willed the names of the last leets to be read for the election
 “ of a new Moderator. The King’s Commissioners showed they had
 “ commission to see the Archbishop of Saint Andrews placed Moderator
 “ in that Synod. The Moderator desired the Act to be produced;
 “ after it was read the bretheren answered that it was constantly affirmed
 “ by the bretheren that wer at that meeting in Linlithgow, that no such
 “ thing concerning the Moderator of Synods was propounded, reasoned,
 “ or concluded at that convention, and therfor they would not acknowledge
 “ that Act so long kepted closs and coming to light but now of late, till
 “ all the Presbitrys of the province had first advised therewith severally,
 “ and conferred with other Synods, and for that they craved a copy to
 “ every one of their Presbitrys. The King’s Commissioners said they
 “ trifled with the King; one of them called for the officer at arms, that
 “ was appointed to charge them with letters of horning, took the cato-
 “ logue of names in his hand, and demanded of them severally whither
 “ they would accept the Bishop as constant Moderator or not. The
 “ officer was commanded to give every one who gave a negative voice a
 “ charge presently to accept, under the pain of rebellion and putting to
 “ the horn. The bretheren answered severally they would rather abide
 “ horning and all that followes therupon, than loss the liberty of the Kirk.

" The office is unlawfull, the man unworthy ! All refused but two or three,
 " Mr. Joseph Durie, Mr. William Murray, parson of Dysart, Mr. David
 " Monnipenny, Mr. John Caldeleugh, Mr. Robert Buchanan, Mr. Thomas
 " Douglas. Some went out of the Assembly ere it came to votting, viz.
 " Mr. John Mitchelson, Mr. James Wilson, Mr. William Murray, min-
 " ister of Carrail, Mr. Andrew Bennet, Minister at Monnimeal. The
 " Bishop perceiving the Bretheren to be courageouse, and fearing the
 " sentence of excommunication, spake with the Commissioners apart, and
 " promised to take upon him to satisfy the King, and therfor desired the
 " bretheren to be spared. The Commissioners wer well content, and
 " promised to lay all the blame upon him if his Majesty wer offended, and
 " so they called for the officer to discharge the Assembly by the King's
 " letters and to charge them not to convene again without speciall warrand
 " from the King. The Kings Commissioners had a commission to see
 " Mr. Gladstanes placed constant Moderator; next that two Commis-
 " sioners be chosen to the conference at Hallyroodhouse; next, to try
 " what the constant Moderators had done against Papists; and lastly, to
 " see that the fifth of Agust wer solemnly observed as it ought. After
 " long reasoning and absoluté refusall of the first, the Synod besought
 " the Commissioners to invert the order, and suffer to be nominated to
 " the conference at Hallyroodhouse. The Controller would in nowise con-
 " sent, but assured them, that if the first wer not granted it behoved them
 " to dissolve the Assembly. In end the matter was drawn to a conference,
 " that it behoved them to charge all the bretheren that refused to accept
 " the Moderator, with letters of horning, yet the Bishop promised to write
 " to the King in favour of the Ministers, and to show that he desired not
 " the office, and therfor the execution should stay while the answer be
 " returned. The Assembly laid to the Commissioners charge, they pro-
 " mised to supersed all things at their last meeting, till the last Tuesday
 " of September, and give a copy of the Act at Linlithgow to every Pres-
 " bitry, which they had not performed and yet they would proceed with
 " rigour. The Assembly Synodall dissolved on Wensday the 19 of
 " Agust about 10 hours." In short, Mr. Calderwood observes that
 tho the Synods wer all met upon one day, yet all refused the constant
 Moderator save Angus, and the King and Bishops wer disappointed of

their purpose, and there was no conference at Hallyroodhouse, partly because the Synods wer dissolved abruptly on their not accepting the constant Moderators, and partly by Mr. James Nicholsons death, who had the cheife hand in the contrivance. He adds that Bishop Gladstanes, contrary to promise, informed the King after his own way of the proceedings of the Synod, and a charge came down for the confynment of Mr. Dykes, Scrimgeour and Coudon, as may be seen in Mr. Scrimgeours Life. Mr. Coudon was not constant and fell with the Bishop. Mr. Cranstoun was more roughly handled and put to the horn. Mr. Calderwood tells us, "that he came to the Archbishop the day before " he was put to the horn, and challanged him for violating his promise. " The Bishop cursed himself if he knew any such thing, but Mr. William " repeted what he had written to the King, and what he had written back " to the Bishop, and said, I saw the judgment of God on your predecessor ; " woes me for that judgment of God that is coming on you. Suppose I " be an aged man very unmeet to undergo trouble, yet I may yet live either " to see you repent or Gods judgment to fall on you. To morrow after " this Mr. Cranstoun was put to the horn."

About the middle of September, the Lord Balmerinnoch, Secretary, went up to Court, and in November his trouble in England began. We have seen upon Bishop Spotswoods life, that he was suspected to have a share in the trouble he fell under. It seems Bishop Gladstanes was not in this plott against the Secretary ; if he was, he acts a most disingenous part, which I am not willing to think he did, except wher I have proof of it. This appears by the next letter of the Bishops, in my hands, to the King, which runns :

" Most Gracious Sovereigne,

" May it please your most excellent Ma^{ty}, I take the boldnes, beside " the common representation sent by our Estate to your Highnes in favour " of your Ma^{ty}s most faithfull servant, and our most special and trustie " freind, your Highnes Secretary, to declare the great favour I find in all " my actions in Session and els^{er}, that in ^{ye} rarity of true servants, and " frequency of prevarications, your Ma^{ty} may make this man sure to " continou as he has begun ; for if it had been no more than this last

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The Bishops
letter to the
King about my
Lord Balmerin-
noch, Septem-
ber 8, 1607.

“ Assembly of Fife, it would make it manifest that wher one does forward
 “ an un-fold service, two are perfunctorious. I was not present at
 “ this colloque, for I was, as I am yet, bound to my bed, but I hope
 “ shortly, through Gods grace, to recover strenth for your Ma^{ty}s. service,
 “ which in my very death (if so it shall please God) shall be precious to
 “ me. I am bold to present certain memories to your Ma^{ty}, and most
 “ humbly beseech your Highnes for such timous answer as your incompara-
 “ ble wisdom shall think meetest to direct. Thus referring to the sufficiency
 “ and fidelity of my Lord the bearer herof, I committ in my hearty prayers
 “ your Highnes person, estate, and goverment, to the graciouse blessing
 “ and protection of the Almighty. I abide,

“ Your Ma^{ty}s. most affectionat

“ Orator and humblest servant,

“ St. Andros, 8 of Sept^r, 1607.”

“ SAINT ANDROIS.”

Memories to his Sacred Majesty.

Memoriall to
 the King with
 the former let-
 ter.

“ It will please your Ma^{ty} to direct the Council anent Captain
 “ Tyrie.

“ It will please your Ma^{ty} to remember the dedication of a
 “ Bibliothek to the University of Saint Andrews, wth the advice of my
 “ Lord, now of Canterburry.

“ It wer expedient that the form and order of making Bachelours,
 “ Doctors of Divinity and of the Lawes, wer sent homeward to me that I
 “ might once creat one or two Doctors to incite others to the same hon-
 “ nour, for we have appointed both a faculty of Theology and Dean
 “ therof, namely, Mr. Robert Howie, q^m we would wish to have
 “ *insignia doctoratús*, and to encourage our ignorant Clergy to learning,
 “ that your Ma^{ty} should give me and all other Bishops in this King-
 “ dom direction that in presentation to benefices those who are graduat
 “ or in the course of Divinity in this University, namely, actu[all] Re-
 “ gents and Masters be preferred to any others. And so your Ma^{ty} may
 “ purchas fame and honour immortall, by the patrociny of this eldest
 “ mother of learning, within this your Majestys most ancient Kingdom.

“ Since in the Institution of the Colledge of Justice, one day in the
 “ week should be given to the Kirks actions, whilk was Saturday, I
 “ would most humbly entreat your Ma^{ty}, that commandement be
 “ given to the Chancelour and President, that it may be some other day,
 “ because it is the day of our studies, and that day I may have liberty to
 “ come to y^e inner house, and that by my roll all the actions of the
 “ Clergy and Ministry may be called, for I ashame that qⁿ all the
 “ Ministers of the Kingdom depend on me, as their primat and patron, I
 “ have not that credit either to have my own or their actions called; so I
 “ humbly beseeke your Ma^{ty} that, seing the whole Clergy depend on
 “ me, as upon their loving [?] in your Ma^{ty}s absens, that I may have such
 “ credit as may vindicat me from contempt, and may further my estim-
 “ ation, for the good of your Majestys service, for albiet my Lord of
 “ Glasgow be well minded, yet the necessary bussines of his own
 “ ecclesiasticall charge avocats him from onwaiting on our turns, and
 “ I am daily resident there in my own charge.

“ SAINT ANDROS.”

Another letter of the Archbishops to the King next moneth I have, which I shall here also transcribe, since these originall letters both give us the native sentiments of the Bishops, and likewise severall things which are not to be met with elsewher, and it runs:

His letter to
the King, Oc-
tober 28, 1607.

“ Most Graciously Sovereigne,

“ May it please your Most Excellent Ma^{ty} as your Highnes
 “ directed me to assemble the Commissioners at needfull occasions, I
 “ convocat them lately to Falkland, and send to your Ma^{ty} in this
 “ present packet minutes of our procedure there, that your Ma^{ty}
 “ return your Highnes pleasure and directions, what of these things you
 “ will have to be prosecute. I am bold also to present certain other
 “ advices, whilk I beseeke your Ma^{ty} to read, and direct w^t as much
 “ secrecy back as such services should be dispatched. Mr. Robert
 “ Howie has here entred to teach, in the new Colledge, and that with so
 “ much rare learning, and not only breeds great contentment to all the

“ Clergy here, but also ravishes them with admiration; so that the
 “ absence of his antecessor (Mr. Andrew Melvil) is not missed, while
 “ they find, instead of superficial feckles inventions, profitable and
 “ substantious Theology. What difficulty and pains I have had to setle
 “ him here, without help of any, either of Councill or Clergy, God knoweth!
 “ and it was thought the great Mr. Andrew Melvil’s absence, should
 “ have furnished such matter of discontentment to the Kirk and Country
 “ as should have bred no small mutinie, and should have enforced your
 “ Highnes to send the prisoner back, *tanquam sine quó non*. Lastly,
 “ S^r, your Ma^{ty}, in your last missive directed to the Councill, com-
 “ manded them to direct some Counsellour to make open doors for Mr.
 “ Robert Howie to enter in Mr. Andrew Melvils lodgings and
 “ chambers, which was obeyed by directing me to execute the part of a
 “ secular sherriff. But whatsoever was the ground of their direction I
 “ will not say, to make me odious, and to eshew that dint themselves, I
 “ have taken the boldnes to be your Highnes sherriff in y^e part, and
 “ have made open doors and posessed the said Mr. Robert in all his
 “ houses. As to colloquies and conferences, S^r, I offer my advice to
 “ your Highnes, that before an Assembly a colloque be, but not to
 “ devise midse, but to propound both the outmost of your Highnes
 “ intention, and defend it by reason, whilk will be easy to students,
 “ and then, I hope, they shall be fain to offer at least that which now is
 “ difficile to be obtained. For outredding the remanent confusions of
 “ the new Colledge, and for sharpning some sluggards that before wer
 “ freinds, as also that ther is likely that great trouble and perturbation
 “ shall fall in this country, betwixt my Lord Tullibardin and his freinds,
 “ and my Lord Oliphant and his adherents, by occasion of some teinds
 “ that are fallen to the old Colledge, I would humbly request your
 “ Ma^{ty}, as having speciall care and interest, to see the peace of thir
 “ parts preserved, as I hope your Highnes expects, that it would please
 “ your Ma^{ty} to command the visitors directed by your Highnes of
 “ before to repair here again, and reiterat their commission, because of
 “ the decease of the Bishop of Dunkeld (Mr. Ja. Nicholson), in whose
 “ room the present interant would be placed, and throu the infirmitys
 “ of others some adjoynd. It will please your Majesty also, to receive

"the Bishop of Murray his missive and information to your Highnes,
"and also to give such direction theranent, as shall seem fittest. Thus
"I humbly recomend, with all my heart, your Highnes royall person
"and state to the grace of God, and rests

"Your Ma^{ty}s. most humble

"Servant and orator,

"St. Andros, Oct. 28, 1607."

"SAINT ANDROS."

What the Bishop asked was granted, and a new visitation of the Colledge of Saint Andrews met, as I guess it, February, 1608. Mr. Calderwood tells us, at this visitation Mr. George Gladstans, Bishop [of Saint Andrews,] would have had one of the Professors of Theology, Mr. John Johnstoun, displaced, alledging he was unprofitable, pernicious, and his chamber a receptacle of evil affected persons. But the University rejected the motion. Notwithstanding of the high encomiums given by the Archbishop to Mr. Howie, the other side give us a quite different view of him. Mr. Calderwood adds, Mr. Howie took the defence of the superiority of Bishops over presbiters, in the new Colledge; his hearers declared plainly they wer rather confirmed in their former opinion, than any whit moved. He was sharply censured by the Presbitry of Saint Andrews. Mr. David Dalgleish, then an expectant, now minister at Coupar, offered, both in private and in face of the Presbitry, to disput publickly with him.

Bishops carriage to Mr. John Johnstoun, February, 1608, with his mistake as to Mr. Howie.

In Aprile this year, the Archbishop wrot a large letter to the King, which will give us the views of things he was pleased to lay before the King, a litle before the conference at Falkland, and so I add it.

His letter to the King, Aprile 17, 1608.

"Sacred Sovereaigne,

"May it please your most excellent Ma^{ty}, I am bold according
"to the liberty wherwith it hath pleased your Gracious Highnes to
"endue me, to importune your Ma^{ty}, with the Ecclesiastick occurrences. Your Ma^{ty} hath been accustomed liberally to excecme some
"of the poor Ministers from the taxation of their benefices, and as the

“ same hath been done in the first term therof, so am I to request
 “ humbly for a commission of new, to do the same with discretion, for
 “ ther was too great profusion of before. Thus qⁿ every man has the
 “ credit of his own diocie, to commend those who, for need, should be
 “ pityed and mentes weal for their own affection to your Highnes service,
 “ your Ma^{ty} will understand who be unworthy of that credit hereafter,
 “ and command the Collector of the taxation, to receive a subscribed roll,
 “ which hereafter must be considered.

P. 16.

“ I am so importuned with Mr. Robert Duries freinds, that I must
 “ presume to propone to your Ma^{ty} their petition, which is, that he hath
 “ written to them, that if he wer at home but a few dayes, he should give
 “ me satisfaction anent all those things wherupon he is challanged and
 “ convict, to the intent that I might report to your Ma^{ty} such things as
 “ might give you contentment, and should move your Majesty to show him
 “ some clemency; therfor they desire that he may have licence [to] come
 “ home, and only to stay at home some twenty days, and if he give not full
 “ satisfaction in that space to return again to his exile. I will not take
 “ upon me either to be a suitor or an adviser to your Ma^{ty} in this
 “ behalf, as I cannot measure your princleie clemency with the narrow
 “ compass of my base mind; only this one thing I will entreat most
 “ humbly your gracious Highnes to honnour me in your Ma^{ty}s
 “ rescript with an answer, that I may testify my diligence in this employ-
 “ ment, and because his Kirk is not as yet planted, it will please your
 “ Ma^{ty} to give order theranent, seing it is a burrow town.

“ Ther is also vaccand here [the parish?] of Kilmanie, q^{ch} belonged
 “ to Mr. John Sharp, [and the parish of Creich?] q^{ch} belonged to umphile
 “ Mr. Alexander Straughan. They are both unplanted; the one by the
 “ wilfull stubbornnes of young Creich, and some of your Ma^{ty}s proper
 “ tennants in that parish; the other delayed by the policy of the seditious.
 “ Therfor I will humbly advise your Ma^{ty} to send home a precise letter to
 “ the Presbitry of Coupar, within the which they lye, commanding them
 “ under a highest pain to plant both these Kirks, and in the planting y^m
 “ that they have regard to Mr. Adam Mitchell, that he be placed in
 “ either of these two, as they shall think meetest. And after they have
 “ declared their mind to my Lord Chancelor by write, that letters be

“ direct from the Secret Council to the parishoners and others having
 “ interest, to receive him under pain of horning, which order no man
 “ can find fault with, since the Presbitry will declare their mind ther-
 “ anent, and this direction your Ma^{ty}. will send to the Chancelor.

“ I am also to remember your Ma^{ty}. to command the Collector
 “ to charge for the Ministers stipends, who are not emboked in the
 “ platt this year bypast, for albiet a great number have not received any
 “ testimoniall of us as your Ma^{ty}. directed, yet they take up their
 “ stipends peacably, of which number is Mr. David Lindsay, who was
 “ here sometime and is the vainest and unruliest man in Scotland. We
 “ concluded by an Act, that after the 15 day of Aprile, their stipends
 “ should be charged for be the Collector, (for we granted that space to
 “ them for their resipiscence;) least the Collector forgett this, it shall
 “ be meet your Ma^{ty}. command him a-new to charge for and intromit
 “ with these stipends, and to be countable to the Commissioners of the
 “ platt therfor, before the first day of June.

“ I have assembled lately your Ma^{ty}s Commissioners for visiting
 “ the University, especially for taking order with the confused state of
 “ the rents of the New Colledge, the perplexity wherof by the abuse of
 “ the preceeding masters hath been such as we can find no clear ground
 “ to satisfy Mr. Robert Howie his great travells, and most commendable
 “ service, which, as its worthy, so I would wish your Ma^{ty}. to have
 “ recomendation. He was vexed with the vanity of Mr. John Johnstoun,
 “ who would not acknowledge his superiority, and therfor I intered to
 “ have expelled him out of the Colledge, but his great inhability and
 “ sicknes have stayed the execution therof.

“ I got none of the Councill to help me, but my Lord of Scoon,
 “ who, as he has been very forward and concurred with me honestly, I
 “ beseech your Highnes declare your acceptance of his service.

“ My Lord Chancelour, at my desire, directed letters both for
 “ obedience to this visitation of Fife by Mr. Robert Howie and me, and
 “ sicklike letters for obedience to the visitation of the University. I
 “ beseech your Majesty let this be recorded sicklike to him, and give
 “ him direction that our decreets may receive execution, since they are
 “ all founded on that visitation, Anno. 1597, wherat your Ma^{ty}. was
 “ present.

P. 17.

“ We have already visited the Presbitrys, and has found the number of your honest servants to exceed the factious. We have caused them chuse Commissioners to y^e ensuing G. Assembly, and of twelve Ile be answerable for nyne. This has been the most seditious province of y^e kingdom. If the rest come such speed, I think this intended Assembly shall produce good effects.

“ Thus I am spending my time with great pains in your Ma^{ty}s service as to this particular, and I do neither spare travails nor expenses, for, as my place requireth, I take the burden both of assembling and execution of things concluded, and without these both such great purposes cannot be accomplished. As for others who engyre themselves in our affaires, they do it but perfunctoriously, and we dare not committ ourselves to them.

“ If it would please your Highnes, for supply of my great cost, and to make me able to continou with honesty in your Highnes service, to grant me the discharge of the second term of my own taxation imposed upon my benefice, I will think myself greatly eased of my burden; and, S^r, now its no time to linger and spare, when turns are coming to a point, and, blessed be God, daily we succeed better, and I have found that diligent forwardnes is now more necessary than to wise[use?] patience. This I remitt to your Ma^{ty}s wise consideration, and, howsoever no case shall drive me from prosecution of this service so agreeable to God’s will, and accompanied with so many blessings, I hope your Ma^{ty} will be so gracious as to send back your Highnes pleasure in all these particulars, w^t as great expedition as the necessity of your Ma^{ty}s service requires. Most humbly I beseech your Ma^{ty} to esteem this service so happy and honourable, as I shall refuse no kind of imployment therein, that your Ma^{ty}s incomparable wisdom shall think necessary or possible. I pray God Almighty to pour in your Highnes soul, person and government all sorts of heavenly and worldly blessings. Likeas I shall remain,

“ Your Ma^{ty}s most humble servant,

“ and devoted orator,

“ St. Androis,
“ 17 Aprile, 1603.”

“ SANCT ANDROIS.”

The printed Calderwood gives so large accounts of what passed this year in conferences and Assembly, as it was termed, and the next year, that I have little to add till after the Generall Assembly at Glasgow. Bishop Gladstanes failed not to joyn with the rest in hearing down the Ministers, who opposed the innovations; but to give light to what passed till that Assembly at Glasgow, I'll just insert some of the Archbishops letters to the King come to my hands, all copys from the originall, and some of them the originall under the Bishops hand; and none of them have been published. The next letter come to my hand is dated, June last, 1708 [1608]; it followes, and it is after the Convention or Generall Assembly this year at Linlithgow.

Bishops letter to the King, July last, 1608, after the Convention or Assembly, July this year.

“ Most Gracious Sovereigne.

“ It may please your Ma^{ty}, We have ended our Assembly, q^{ch} was very frequent,—Noblemen, Barrons, Comissioners of Burrowes, and Ministers, in number beyond any Assembly we have seen thir many years. The Bishop of Orkney was chosen Moderator, although the voices passed hardly enough, for he carryed it by three only from Mr. Patrick Simson, yet he has presided in such a manner, as they all think the voices went happily, nothing being concluded but with the great contentment of all, wherein what has been the wise and diligent care of your Ma^{ty}s. Commissioner, we cannot by writting express. Never, S^r, was more traivell taken by our adversarys to disappoint your Highnes service, and continuall labouring by day and night, during all the time of the Assembly, to raise trouble and cross your Highnes purpose. But by his wisdom and dexterity, they have been so prevented, as every thing, praised be the Lord, has fallen contrary to y^r desires, and your Ma^{ty} has obtained, with a great consent of all, the very same thing that was intended. Among all the services done by his Lōp, q^{ch} have been many, we esteem this, in regard of the difficulty in compassing and consequence of that whilk is done, to be the greatest. The Assembly, following the very points of your Ma^{ty}s letter, enquired first upon the papists and numbers of them who are found to be many more than we had beleved; their names are enrolled, and the causes of the grouth of papistry condescended upon,

P. 18.

“ w^t some overtures for remeid, whilk are all to be presented in most
 “ humble sort to your Ma^{ty} by certain y^t are appointed by the
 “ Assembly to make y^t petitions for redress of the said evils; and as
 “ for the distractions among ourselves, they are now, thanks to God! at
 “ an end, the ministers being reconciled to us in a most hearty affection,
 “ and an Act by their own consent set down, that no meddling be any
 “ more in pulpit w^t the contraversys in discipline, and no invectiōns
 “ agst Bishops or others, under the pain of most sharp censure, whilk
 “ Act was sworn to by all w^t uplifting of hands. The differences that
 “ are resting among us in opinion are reserved to a number of Commis-
 “ sioners, y^t have power to convene w^t your Ma^{ty}, or such of your
 “ Highnes councill as shall be appointed, to treat, reason, and agree
 “ upon these contraversys. The Commissioners of Assembly, being
 “ approved in face of Assembly, have a new commission granted to them
 “ as of before, so now, S^r, as we hope for an end of all our contentions
 “ and a prevailing in your Ma^{ty}s service, in qth every man will
 “ strive to be forward for the suppressing of the papist or common
 “ adversary, for whilk we must still entreat your Ma^{ty}s favourable
 “ assistance, both for the safety of our Kirk, and the good success of all
 “ your Ma^{ty}s other affairs. The Marquise of Huntly, for his insolent
 “ behaviour at Aberdeen, during this his confyning, and upon the
 “ universall profession of the Ministers of these parts, who declared that
 “ without the hazard of their lives, they could not proceed to the sen-
 “ tence in the process they had deduced, was in the Assembly openly
 “ excommunicat w^t many tears of those y^t wer present. The proces of
 “ the other two Earles is commanded to be made betwixt and the 18 of
 “ September. The rest of the particulars and those things y^t belong
 “ to our affairs, we remit to the declaration of the A. Bishop of Glasgow,
 “ who is one of the Commissioners appointed by the Assembly for
 “ presenting their humble petitions to your Ma^{ty}, yet we cannot
 “ ommitt to shew your Ma^{ty} that Doctor Abbots had here an excel-
 “ lent sermon, in presence of the Assembly wherby he perswaded us
 “ mightily to peace and love towards other, whilk was so well accepted
 “ that he had public thanks decerned to him by the whole Assembly,
 “ and five or six of their number direct to him for that purpose. Our

“ Assembly that in the beginning kythed great diversity in their voices,
 “ ended with singing the psalm, *Ecce qm̃ bonē et quam jucundum*, and
 “ thus we bring to your Ma^{ty} for this time acceptable newse. Praying
 “ God to bless your Ma^{ty} with peace and glory in this life, and endles
 “ felicity in the life to come. Amen.

“ Your Ma^{ty}’s most humble

“ Linlithgow,

“ July last, 1608.”

“ Servants and subjects,

“ M. A. BRECHIN,

“ JA. B. OF ORCADS,

“ AL. CATHNES,

“ SAINT ANDREWS,

“ GLASGOW,

“ DUNKELD,

“ B. OF GALLOWAY.”

In the beginning of September, the Archbishop took journey to Court, as it would seem, without any particular call from the King, and while upon the road, as I take it, he writes the following letter to the King to prepare his way. It is very much calculat to [the] Kings genius, not to say flattering and pedantick; the originall, wholly writt by the prinats hand, is in my hands, and I shall transcribe it.

Bishop Gladstanes letter to the King, September 1, 1608.
 P. 19.

“ Most Graciously Sovereigne,

“ May it please your most excellent Majesty. As of all vices ingratitude [is the greatest, and as?] I find myself not only, as first of that dead
 “ Estate whilk your Majesty hath recreat, but also in my privat condition,
 “ so overwhelmed with your Majestys princelie and magnifick benignity,
 “ [I] could not but repair to your Ma^{ty}’s most gracious face, that so
 “ unworthy a creature might both see, bless, and thank my earthly creator,
 “ like as I in my missive, whilk I was bold to direct to your Highnes by
 “ my brother-in-law, I protested the same might be w^t your Majesties
 “ most gracious license. Y^e is also some occasion to offer to your Ma^{ty}
 “ some overtures anent your Highnes service, which yet hath gotten litle
 “ promotion, albiet our wages be well payed before the hand. These
 “ things I could not commit to any. Thus I hope your Ma^{ty} will accept
 “ in good part this my journey, which the wings of love and affection hath

“ facilitate above my own hope and the wishes of my disappointed evil
 “ willers. Swa I commit your Ma^y to God his blessed protection.

“ Your Majesties humble servitour,

“ At Standford,
 “ 11 of Sept. 1609.”

“ SAINT ANDROIS.”*

His letter to
 the King, May
 31, 1609.

Next year the primat inclines to make another journey to London, where, it seems, the Bishop of Glasgow was before him, and to have license to do so he writes to the King, in the end of May, the following letter :

“ Most Gracious Sovereigne,

“ May it please your most excellent Ma^y, Although I will not
 “ presume to give your Ma^y. a further information or advice in y^t com-
 “ mon errand of your Heighnes service belonging to our Estate than
 “ y^t whilk in our last meeting in Edn^r, and since latly in Falkland,
 “ we have in write imparted to your gracious Highnes, as I think my
 “ Lord of Glasgow hath related to your most gracious Majesty; yet anent
 “ y^t common service, I would most humbly beseeke your Ma^y. that
 “ the perfection therof should be minted to, and an act therof drawn up
 “ and essayed, and if that be not lickly to succeed, y^t the other interim
 “ be presented as your Ma^y. shall think fittest, (for I am in good hope
 “ even of the best;) but besides having here of your Highnes charge of
 “ overseeing this University, the ordering wherof makes great importance
 “ to your Ma^{ty}s credit in Kirk and commonweal, wherin the pains be
 “ taken in visitation in rectifying the abuses therof, yet because that kind
 “ of judgment is not formally authorized by law and Act of Parliament,
 “ small or litle execution followeth therupon, therfor I have thôt meet
 “ to draw out an Act to be signed by your Ma^{ty}s hand, for establishing
 “ that judicature and authorizing your Ma^{ty}s visitations bypast; but
 “ for to make shew have made a graciouse narrative and a confirmation of
 “ the Act made in Parlia^t for reformation of the said University, the

* Wodrow has marked an addition to the narrative to be inserted here, but no such addition is to be found at the end of the Life, where the additions are generally placed. There are several similar omissions in the subsequent pages.

“ observation q^{of} will so terrify them, as it will make them all in your
 “ Ma^{ty}s. reverence. And, S^r, ther are sundry points of service both
 “ enjoyned and others necessary q^{ch}. I dare not interpose, *quia erubesco*
 “ *sine lege loqui*. I will most humbly beseeke your most gracious Majesty
 “ to take advice of this Act as I have formed it, amending or allowing
 “ according to your Ma^{ty}s. incomparable wisdom, and to direct the
 “ samin to the Earle of Dumbar, w^t his other employments. Thus,
 “ attending most humbly upon your Ma^{ty}s. royall appointment, in
 “ whatsomever service I can avail, and after I have most humblie kissed
 “ your Highnes hands, and begged license once this summer to see your
 “ Ma^{ty}s. most gracious face, I earnestly beseeke God to bless your
 “ Ma^{ty}s. royall estate and most noble person with all spirituall and tem-
 “ porall benedictions forever. I shall remain

P. 20.

“ Your Ma^{ty}s. most humble orator

“ and faithfull servant,

“ Sant And. last
 “ of May, 1609.”

“ SANCT ANDROIS.”

I do not know if the Archbishop went up to London according to the desire he intimates here to the King, having nothing during this year save the letters I am given [giving]. If he did, then it was upon his return that he wrot the next letter which runns :

His letter to
 him, November
 24, 1609.

“ Most Graciously Sovereigne,

“ May it please your most excellent Ma^{ty}, Wheras your Highnes
 “ wrote to me shortly of the foolish behaviour of Mr. John Fairfoul in
 “ his prayer for these justly bannished ministers, S^r, I protest before
 “ God, I never knew till your Ma^{ty}s. letter informed me, and if I had
 “ knowen, I should have taken order according to my place : alwise
 “ after receipt of your Ma^{ty}s. direction, I conveyed him before me
 “ here in my lodging in this town, being assisted by my Lord of Scoon,
 “ and withall charged before me the Magistrates and a great part of the
 “ Councill of the town. But his own confession shortned the matter,
 “ q^{ch}. I gave in to the Councill subscribed w^t his own hand. Wherfor
 “ being sisted before the Council this Thursday the 23 of this instant,
 “ he was convicted in the wrong uniformly, but in the manner of his pre-

“ sent censure ther was variety ; the one part votting to his warding in
 “ the Blacknes (of q^{ch}. number I was first), the other greater part
 “ decerning him to be confyned in the burgh of Dundee. This is the
 “ report of my diligence according to my bounden dutie. The man is
 “ become in your will, q^{ch}. your Ma^{ty}. will be pleased to signify when
 “ your Ma^{ty}. shall think fittest. I wrote to your Ma^{ty}. lately anent a
 “ contraverry of the placing of a Minister in a Kirk called South-Ferrie
 “ belonging to your Ma^{ty}. presentation, q^{ch}. the Presbitry of Saint
 “ Andrews would fill wth a seditious man, and without your Ma^{ty}.
 “ license or nomination ; also I was bold to offer my advice humbly anent
 “ your Highnes commission for our calumniously alledged dilapidations,
 “ but have not received your Ma^{ty}. pleasure back, which to us all is and
 “ shall be an irrefragable oracle. I am here [there ?] very well received,
 “ and here in the pulpit of Edin^c, wher I teach ordinarily every Sunday,
 “ and will so continou, God willing, until your Ma^{ty}. discharge me.
 “ The other common matters to be advised we have passed throu, and
 “ have sent our opinions wth the A. Bishop of Glasgow, and my Lord
 “ of Galloway, to whose sufficiency referring, I beseech God to bless your
 “ Ma^{ty}. with long health and life, and all blessed prosperity in your
 “ Highnes government. I remain

“ Your Highnes most humble and

“ devoted servant and orator,

“ Edinr., 24 of

“ Nov., 1609.”

“ SAINT ANDROIS.”

Bishops letter to the King,
 January, 1610.
 P. 21.

We are now come to the year 1610, when the Bishops were full of hopes to get their state acknowledged by the shaddow of a Generall Assembly, and they make the King belive that his designes as to them would be fully compleated. Severall letters this year to the King will fall in upon Archbishop Spotswood's Life, who was continually going and coming twixt Edinburgh and London. Those of Bishop Gladstanes and the meetings of the Bishops fall in here. I have one, without date, from a meeting of Bishops, but from their reference to the Secretary, I guess its dated in January 1610, when Mr. Alexander Hay, Under-Secretary, returned to Court, after the King had sent down orders about severall particulars which are to be seen in the printed Calderwood, and so I bring it in here.

“ Most Gracious and Sacred Sovereigne,
 “ We received your letter by the Lord Secretary, conteaning some
 “ directions for the better proceeding in your Highnes service, committed
 “ unto us. In all the particulars we have agreed to conform ourselves
 “ and take such course as your Ma^{ty} shall have full contentment, and
 “ at last see the Government established, q^{ch} of your Highnes has been
 “ long desired. And because his Lōp was earnest that we should
 “ resolve according to your Ma^{ty}s pleasure upon a present acceptance
 “ of the service upon us and make no longer delayes, wherunto he
 “ gave us many encouragments and very affecting persuasions, as we most
 “ confess we wer greatly affected therby; so we advised to give all of us,
 “ under our hands, assurance to your Ma^{ty} of our resolution that way,
 “ and how we will be so far from detracting the service as we shall not
 “ cease till throu Gods help the same be brōt to a good and happy
 “ end. Of the means how to bring this about are our present deli-
 “ berations. We shall take by Gods help, the most safe and sure
 “ way, and what we undertake we shall be answerable to your Ma^{ty}
 “ for performance. We have all our ministers, even such as wer most
 “ refractory, at the point of tolleration. They will suffer things to pro-
 “ ceed and be quiet, because they cannot longer strive. But when they
 “ shall espy the fruits of a better government, we do not doubt they will
 “ be better minded. Some particulars we have committed to the Secre-
 “ tarys remembrance and set down in a note besides, wherof we humbly
 “ entreat your Ma^{ty}s answer by the first occasion, and now ceasing to
 “ be troublesome we beseech God Almighty to multiply your Ma^{ty}s years
 “ with all increase of happiness.

“ Your Ma^{ty}s most bounden and

“ ever devoted servants,

“ M. A. BRECHIN,

“ JO. LISMORENA,

“ DUMBLANE,

“ JA. B. OF ORCADS.”

“ SAINT ANDROIS,

“ GLASGOW,

“ A. CAITHNES,

“ DUNKELD,

“ B. OF GALLOWAY,

Bishop Glad-
stanes letter to
the King, Feb-
ruary 18, 1610.

I am not certain of the date of this common letter. Perhaps it may have been in March, because it lyes when I found it with one of Bishop Spotwood's in March; but the following from the Primate bears its own date in February, and so I give it next.

P. 22.

“ May it please your most excellent Ma^{ty}, I cannot dissemble the
 “ great and assured hope I have of good and speedy finall accomplishment
 “ of your Ma^{ty}s royall and godly designments, in reestablishing the estate
 “ of this before misordered Kirk, by your wise directions, that daily take
 “ great encrease of good success, with contentment even of the most part
 “ of the people, which hath moved me to stay here, and to exercise the
 “ gift that God hath given me in preaching and attending upon all coun-
 “ sels and meetings, both ecclesiasticall and civil. The High Commissions
 “ are well and plausibly accepted of all, and the Secretary hath contrived
 “ the same, and other purposes fitt for our advancement, wth authority
 “ and wisdom to our great comfort. So y^t if one point qth is in hand
 “ be prosecute I doubt nothing of greater perfection, than in anies imagi-
 “ nation could have been performed in so short time, and therfor your
 “ Ma^{ty} has great reason to bless that good God who is ever your assistant
 “ and will be to the end, in these your religious and wise and religious
 “ intentions, and your Ma^{ty} may look for uniform and constant service
 “ in all my bretheren the Prelates, whom also your Ma^{ty} will please to
 “ encourage, partly by supporting the necessity of the indigent that lack
 “ moen, especially the Bishop of Caitness, partly when places in the Ses-
 “ sion shall vaik by promoving some mo to the same, whilk will both
 “ repair the decay of our livings and patrimonies, and procure the depen-
 “ dence of the rest of the ministry who have their fortunes and estates
 “ subject to the pleasure of y^t judicatory. The Secretary has gotten
 “ disclosed to him the arrivall of Mr. Andrew Duncan in thir parts, and
 “ hath entered in tryall of Mr. William Murray, present minister in Crail.
 “ He will inform your Ma^{ty} more fully theranent, albiet the said Mr.
 “ William in my opinion will be found within compass of law, yet it is my
 “ humble address to your Ma^{ty} that some connivance shall be towards him
 “ for a season, that we may have out of him some service at this great
 “ dyet, your Ma^{ty} knowes. For he can do very well and his sway will be

“ important. Referring y^e rest to the sufficiency of the bearer, I beseeck
 “ God to bless your Ma^{ty}. wth a long and happy life, wth the encrease
 “ of all grace and prosperity in your royal government. So I abide,

“ Your Ma^{ty}s. most humble servant and

“ devoted orator,

“ Edin^r. 18 of
 “ Feb. 1610.”

“ SAINT ANDROIS.”

Memories to the King his Sacred Ma^{ty}.

“ 1. Since it hath pleased your Ma^{ty}. to appoint not only for the
 “ Bishops, but also for the remanent Clergy, an habite distinguished from
 “ that of other estates ; I am to regrate that your Ma^{ty}. is not obeyed,
 “ and therfor to request your Ma^{ty}. to grant me to take order theranet,
 “ both wth Bishops, of whom some never took the habit but go on the
 “ very streets of Edin^r. as laicks, and the rest of the ministers throu
 “ the kingdom, whose gowns should be like ours, except the stuff, face and
 “ tippet. So please your Ma^{ty}. to be speciall, and I will be answerable
 “ for obedience of the same.

Memories to
 the King, sent
 wth the forego-
 ing letter.

“ 2. Captain James Tyrie hath been very instant wth me to have con-
 “ ference for resolution in religion. I directed him to some wise and well
 “ advised ministers who have reported to me that he seems rather to intend
 “ delay than resolution. So may it please your Ma^{ty}. to command me by
 “ your Ma^{ty}s. warrant in write to appoint him a day for his finall resolu-
 “ tion, or then his parting off the country, and withall to give order and
 “ direction to your Highnes privy council to this effect.

“ 3. S^r. John Ogilvy has given his supplication once or twice to
 “ your Ma^{ty}. his commission for receiving into the bosome of the Kirk,
 “ q^{ch} we ever have delayed, in the mean time directing some ministers
 “ to conferr wth him to q^m. he hath given reasonable satisfaction, and
 “ lately he hath given humble supplication to me and the diocesan Synod
 “ of that part of the Diocie, north Tay, holden at Aberbroath the last
 “ Teusday of September, (the frequency and honourable usage wherof I
 “ wish that others should report, and not I, for I think the like has not
 “ been seen since the religion came in Scotland,) but there it was enacted

“ by my direction that nothing should be done concerning him, while first
 “ your Ma^{ty}s gracious pleasure should be known. Ther was some deal-
 “ ing for his composition and satisfaction to your Ma^{ty}s. Treasurer ; I will
 “ humbly beseech your Majesty, that, since to my knowledge the gentle-
 “ man is well affected to live as a peaceable subject, and to conform himself
 “ both in religion and maners to your Ma^{ty}s laues, that your Ma^{ty} may
 “ give order and royall direction how he shall be used ; that my simplicity
 “ and zeal to receive penitent sinners may not displease your Ma^{ty}, who
 “ to please, next God, is my felicity, not of fear but of love and conscience,
 “ and if your Ma^{ty} will be inclined to referr this whole matter to me, I
 “ will be answerable either for a good subject of him, or for taking order
 “ exemplarly w^t him to your contentment.

1. 23.

“ 4. The Laird of Edzell younger, hath given in to me and the
 “ forsaidd synod a most humble supplication for accepting his repentance,
 “ and relaxing him from the sentence of excommunication. But that
 “ matter also is referred to your Ma^{ty}s pleasure, for since here, praised be
 “ God, *Ecclesia et respublica est eadem numeró*, wher I have power,
 “ none shall be *membrum ecclesiæ*, who is not *membræ reipublicæ*, and
 “ your Majestys acknowledged subject, yet this I presumed, that two
 “ should be deputed to [the] Earle of Crauford, and two to the Laird of
 “ Edziel, for mediation, if it shall please your Majesty to spare his life,
 “ q^{ch}. is in your Ma^{ty}s reverence for that unhappy slaughter.

“ 5. The dioecesan Synod of Fife and remanent Kirks of my Dioey
 “ betwixt hath been holden here in your Ma^{ty}s city, wher ther was some
 “ opposition made in the beginning by Mr. John Malcomb, and some of
 “ the old Melvinian brood that remains here, but I repressed them by
 “ authority and reason, to the great contentment of all your Ma^{ty}s. good
 “ and faithfull subjects y^t wer present in great number, swa that thereafter
 “ I kepted that Assembly w^t great peace and reverence to me ; so y^t ther
 “ rests in my dioey only the Synod besouth Forth, whilk I have indyted
 “ at Haddingtoun the first day of November.

“ 6. At the forsaidd Synod of Fife a supplication was given in by Mr.
 “ James Melvil his parishoners, craving of the Synod and me, that we
 “ should interpone our supplication to your Majesty for his restitution to
 “ his place. As for me, I will not advise your Ma^{ty} any thing in y^t

“ matter, because I know not what is the mans humour as yet, but rather
 “ wish y^t ere any such men get liberty, our turns took setling a while ;
 “ alwise I refferr this your Ma^{ty}s. unparalleled wisdom.

“ 7. I hope your Ma^{ty}. will consider, that as your Ma^{ty}. hath given the
 “ high commission to your Ma^{ty}s. two A. Bishops in all matters of scan-
 “ der, so in speciall the adulterers fall under the compas therof ; and we,
 “ being in the room wherin your Ma^{ty}. hath placed us, may be as answer-
 “ able for the penalties exacted of them, as any other ; swa either shall
 “ we deliver the samin to the Lord Thresaurer or the Exchecker, as your
 “ Ma^{ty}. shall appoint. I have seen the orders taken w^t such given to a
 “ number of scoffers in the country, and who never gave any accounts to
 “ your Ma^{ty}s. Thresaurer or Exchecker therof ; and if it end in a monopoly
 “ your Ma^{ty}. will never reap commodity of the same.”

The next letter is a pretty long one, under the nearer view of the
 Assembly of Glasgow, and the Bishops setlment in their office, and I
 give it as it stands.

His letter
 to the King
 Aprile 18,
 1610.

“ Sacred Sovereaigne,

“ May it please your most excellent Majesty, I cannot dissemble the
 “ good appearance of prosperous succes that your Ma^{ty}s. services are to have
 “ in the government ecclesiasticall and reformation therof, for the wise
 “ sort are ready to embrace your Ma^{ty}s. determination, simply ; the great
 “ multitude of the ministry are desirous that Presbitrys should stand, but
 “ directed and governed by the Bishops, and so would refferr great matters to
 “ be done only by the consent and authority of the Bishops. The fea number
 “ of contradicents to episcopall jurisdiction are content to besilent, so y^t your
 “ Ma^{ty}. needs not enter upon any dishonourable conditions. Yea, I, who
 “ sit[sat?] in the place of sedition and contradiction, have perfect obedience
 “ to all my directions, and therfor I am bold humbly to advise your Ma^{ty}.,
 “ that in the designation of the place of the ensuing G. Assembly, your
 “ Ma^{ty}. make choice, either of the place appointed by the last Assembly,
 “ whilk will help the formality of it, or then of Dundee, wher your Ma^{ty}.
 “ knowes your own northern men may have best commodity to repair ;
 “ and albiet your Ma^{ty}s. princely liberality may supply distance of place, by
 “ furniture to those that travell, yet, Sir, why should your Ma^{ty}. direct

P. 24.

“ that meeting to a corner of the country, whilk will both breed needles
 “ disease to the poor ministers, and minister occasion of thinking that
 “ it is done for fear, and so would make it want that lusture and beauty
 “ which a thing so lawfull and easy merites to have ; and so do I think of
 “ the president of that Assembly, that your Ma^{ty}. will need no policy to
 “ bring in another than him whom your Majesty hath already presented
 “ therunto, it being the primat his proper office under your Ma^{ty}. which
 “ your Ma^{ty}. will find easily effectuated, for none will comether of purpouse to
 “ serve your Ma^{ty}. but the same will give first proof in y^e ease ; and if it be
 “ requisite, your Ma^{ty}. will find that I being put in leat w^t any of the
 “ Bishops, the ministry shall incline wher they are bounden in duty. This
 “ I speak, S^c. not for prerogative of my person but of my place, q^{ch}. as it
 “ bears greatest burden, so I hope your Ma^{ty}. will see it honoured, for the
 “ better enabling the possessor to bear out all your Ma^{ty}s. services competent
 “ therunto. But this I most humbly remitt to your Ma^{ty}s. most wise con-
 “ sideration and good pleasure, whilk shall be to me as a sacred oracle.

“ At my desire, the Lords and others of the high commission, con-
 “ veened here in Saint Andrews, and assisted me w^t so great alacrity,
 “ solemnly promising to assist me in that service, as I am not able to
 “ express, q^{ch}. the other missive directed from themselves will signify to
 “ your Ma^{ty}. Of the ministers, only Mr. Peter Heuat was present ; Mr.
 “ Patrick Galloway refused to come and stayed also Mr. John Hall. Your
 “ Ma^{ty}. must yet oversee him while these turns be ended. Mr. John
 “ Fairfoul his entry in to the ministry of Anstruther in Mr. Robert Durie
 “ his room is delayed upon a petition of the people and presbitry to me,
 “ that Mr. John Dykes may be placed therin, earnestly requesting me to
 “ be supplicant to your Ma^{ty}. for him, who has also sent me sundry mes-
 “ sages and promises of obedience and conformity to your Ma^{ty}s. injunctions.
 “ So far for satisfaction of their importunity, I delayed, while your Ma^{ty}.
 “ should signify your own pleasure, q^{ch}. I most humbly beseech your Ma^{ty}.
 “ to do, and so to relieve me of the burden ; while your Ma^{ty}. send back
 “ your pleasure and precise direction I will get no rest, neither will that
 “ matter be settled, for as for me I will not presume to make intreaty for
 “ any who has given your Ma^{ty}. just cause of offence. I have dis-
 “ charged Mr. Ephraim Melvil from preaching at your Ma^{ty}s. direc-

“tion; but sensyne the parishoners have given a petition to me and
 “presbitry to have him to be their ordinary, q^{ch}, notwithstanding the con-
 “sent of the presbitry, I refused till your Ma^{ty} declare your mind theranent,
 “for its very offensive that the people wants preaching. If your Ma^{ty} would
 “take this midse, to give permission to Mr. John Dykes to preach in
 “Kilrenny q^{ch} is a famous congregation, and to Mr. Ephraim to supply
 “Mr. John his room q^{ch} is most obscure, it would foster the said Mr.
 “John his begun resipiscence and entertean some peice of emulation
 “among themselves.

“Ther is no obedience concerning the ministers gouns and cassocks,
 “therfor it will please your Ma^{ty} to send down a new direction to me
 “theranent, commanding them to conform themselves to those which we
 “Bishops have already received, for I take that those of the Bishops and
 “the ministers are in form both one, and the difference should be in the
 “stuff and facing of them.

“Sicklike it will please your Ma^{ty} to give direction as to the provest P. 25.
 “of this city his scarlet gown, w^t license to y^e Dean of Guild and
 “Bailays to wear black gowns. I most humbly crave your Ma^{ty}s pardon
 “for impeshing your Ma^{ty}s greater affairs so boldly, but I hope
 “your Ma^{ty}s graciouse inclination will not offend at a servant, who in
 “fidelity and affection shall be inferior to none, albiet in gifts and merites
 “most unworthy of your Ma^{ty}s favour. I hope your Ma^{ty} will be so
 “gracions as to command the Secretary to dispatch answer to these
 “affairs w^t convenient diligence. Thus, I beseek God to bless your Ma^{ty}.
 “with all grace and prosperity. Ever I remain

“Your Ma^{ty}s most humble servant

“and devoted orator,

“St. Androis, 18 of
 “Aprile, 1610.”

“SAINT ANDROIS.”

We see here the Primat was not for the Assemblys meeting any wher
 but in his dioeces, either at Saint Andrews, to which the Assembly had
 been adjourned, or Dundee, that the north country ministers to whom
 the Bishop gives a pretty singular epithet might be well conveyened. Remarks
upon it.

The Bishop speaks modestly and yet very plainly of the King bearing the members charges out of his liberality, which, it may be, some will give a plainer name to, a hundred years after. For all the Bishops assurance that things wer so very well for the Kings service, that is, for setting up of Bishops among the ministers, yet we see he intimates the necessity of the North-Country ministers, their being well conveyned, and does not think Glasgow a place proper for their purpose. But his brother, Bishop Spotswood, it seems, was before hand with him, and the King had fixed Glasgow as the place of meeting. He only further observe, that the Bishop under all the inclination to bring in Episcopacy they boast of among the ministry, durst not venture upon a free choice of the members of this Assembly, but prevailed with the King to nominat the members in each presbitry according to a list they had agreed to, so that meeting cannot be termed a generall Assembly but a pickt meeting named by the Bishops, favourable to their purposes, and crammed down presbitrys throats.

Bishops letter to the Presbitry of Churnside, May 28, 1610.

Mr. Calderwood hath preserved the Bishops letter to the Presbitry of Churnside, wher his parish of Crailing then was; and it deserves a room in the Bishops Life, as follows :

Grace be multiplyed unto you.

“ Beloved bretheren, After my hearty commendations in the Lord, I
 “ have received a letter from the Kings Ma^{ty}. anent the direction of Com-
 “ missioners to the approaching Generall Assembly, and to the effect you
 “ may understand my commission to that effect to you, and the Kings
 “ Ma^{ty}s. pleasure, I thôt it good, as having credit in these matters of his
 “ Ma^{ty}’, to shew to your Moderator the authentic letter that hath pro-
 “ ceeded from his Ma^{ty}s. hand, and to send you the note of the persons
 “ whom his Ma^{ty}. has thot fittest for that work. Thus I beseeke you,
 “ since our presbitrys in Fife, and as I hear the presbitry of Edin^r, hath
 “ agreed to the Kings desire, that you will not fail to send a free voluntary
 “ commission, wth those bretheren who have also received their severall
 “ missives from the Kings Ma^{ty}’, that ye seem not to be singular and
 “ refractory to reasonable petitions. I hope that this my comsell shall be
 “ well accepted of you, and since suddain and wilfull conclusions have
 “ wrought such bitter[effects], I hope ye will not provoek y^e Kings Ma^{ty}. to

“wrath, w^out any necessary occasion. Thus I beseeke God to bless
 “you all wth the Spirit of truth and love to the end. Edin^r May 28, 1610.

“Your loving and assured brother,

“SAINT ANDREWS.”

The common copy of the Kings letter to all the Presbitrys, was sent along with this to the Presbitry, by the Bishop, with the names of the members to be sent up by the Presbitry, to this Generall Assembly. Mr. Calderwood hath given it p. [621], but being probably penned from a form sent up by the Bishops, and in its tenour pretty singular, I shall likewise give it here. It is directed *To our trustie and weel beloved, the moderator and bretheren of the prÿy of Churnside.*

Kings letter
to Presbitrys
which came
with this, dated
Aprile 1, 1610.

“JAMES REX,

“Trustie and welbeloved, We greet you well. Albiet we, justly
 “fearing the disorders that might arise in the G. Assembly appointed
 “to be holden at Saint Andrews for the day of May next, by reason
 “of the differences now in the Church for matters of discipline, did,
 “by our letters, dated in February last, desert the said meeting and
 “specially declared that it was not our mind to appoint any new
 “Assembly, before we wer well assured of the peacable inclination of
 “the ministry, who should meet and convene therat. But being lately
 “advertised of great confusion arising in the Church, by reason of the
 “loose and unsettled government q^{ch} is therein; and being intreated
 “by sundry of our good subjects, bishops, ministers and others, for
 “licence to some Generall Meeting of the Church, wherein good hope
 “is given us that some courses, by commune consent, shall be taken
 “for redress of all misorders, and the division of minds that has so long
 “continued among the ministry, to the great scandal of their profession,
 “should cease and be extinguished, we have been pleased to yeild to
 “their request, and to grant liberty for a G. Assembly to be holden at
 “Glasgow, the 8th day of June next, and therfor we will and require
 “you to make choice of the most discreet and peacable disposed ministers
 “amongst you, to meet and convene in the said place, sufficiently

"instructed w^t commission from the rest, as in other Assemblys you
 "have been accustomed, and to advise anent the excommunicated Earles,
 "what order shall be taken w^t them, for their satisfaction of the
 "Church; anent the late erections to communicat w^t our commis-
 "sioners anent the estate of every Church within any of the same, the
 "mentainance allowed therunto, and overture for supplying the churches,
 "q^{ch}. are not sufficiently provided, and what is the best course to be
 "taken for the ready payment of the ministers, so as they be not
 "distracted from their charge, and forced to attend the law for discuss-
 "ing of suspensions and such like questions arising therupon; in which
 "point we have had many grievouse complaints from diverse of the
 "ministers there, and understood our good purpose touching them and
 "their mentainance to have been wonderfully crossed; and y^t they be
 "ready to give their best opinion in all the former points, and in every
 "thing else y^t shall be demanded of them, concerning the good peace
 "of the church. And because by our letters we have particularly
 "acquainted the B. of Saint Andrews of our purpose herin, and sent
 "unto him a speciall note of the names of such as we desire to be at
 "our said meeting, it is our pleasure, that you conform yourselves
 "herunto, and make choice of the persons q^m we take to be fittest
 "for giving us advice in all matters, wherin ye shall do us acceptable
 "service. We bid you fareweel. From our Court at Whitehall, the
 "first of Aprile, 1610."

Reflexions
 upon them.

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A few reflexions upon these two letters, will easily discover the
 nullity of the Assembly at Glasgow, as a proper G. Assembly of this
 Church. The narrative in the Kings letter mentions nothing concerning
 the main end of this meeting, to set up Bishops; other things are
 pretended, and we see a profound silence, as to what was the real designe of
 this Assembly, and other things pretended. The persons wer all named
 by the King, so that ther was no free choice of the members, but each
 was named by the Bishops for their purpose, and that under the notion of the
 Kings will. The advertishment was too suddain, only ten dayes before
 the time named; particular persons had letters from the King to be
 present In short it was a packed meeting, and all the members named

without any choice. By such a meeting as this Prelacy got some sort of approbation, by such who wer termed a Generall Assembly.

I shall not say any thing of this Generall Assembly at Glasgow; our printed historians give large accounts of it, and somthings about it may come in upon Bishop Spotswoods Life, who presided at that meeting against Bishop Gladstanes inclination, as we see by the Primates letter to the King, already inserted. After the Assembly, the Bishops wer carefull to convene their Synods, that they might enter on their episcopall jurisdiction, which they wer fond enough of. In October, Bishop Gladstanes convened the Synod of Fife, and, in September, warned the ministers, by a letter and least such as he thôt would be more unwilling to meet with him, of the diet of the meeting. The Bishops letter to Mr. John Row, Minister at Carnock followes. I doubt not but the rest of the letters wer in the same form.

The Bishops
diocesian Syn-
ods, Oct.,
1610.

Grace be multiplyed to you.

“ Beloved brother, Forasmuch as in the last Generall Assembly, the oversight of the Diocesian Synods was committed to the Bishops, and, wher the diocie is great, that they should be holden in sundry places for the ease of the bretheren, I have thought meet, for the commodity of the bretheren who reside in the south side of Tay, that their Synod hold at Saint Andrews, upon the 9th day of October next to come. Wherfor I request you most earnestly to be present, the said day and place, that yon may concurr to such things as are competent to that judicatory for your interest, and to abide such tryall as shall be thôt fittest; and intimates to you withall, that the penalty of your absence is suspension from your ministry for the first, if ye wilfully absent yourself. So I committ you to the grace of God, and rests, From the Kirk of Dun, Sept. 11, 1610.

Bishop Glad-
stanes letter
convocating the
ministers, Sept.
11.

“ Your assured brother in Christ,

“ SAINT ANDREWS.”

In this place I chuse to give some account of the struggle which the ministers, who stood by the former constitution of the Church, had with

Accounts of
Bishop Glad-
stanes diocesian

Synod of Fife,
Oct. 9, 1610,
from Calder-
wood.

the Bishops, and their imperious treatment of the bretheren of the ministry. Upon some of their Lives that are to follow, the part which the ministers acted will fall in, but here I chuse to give altogether what I meet with in Mr. Calderwood and Mr. Row's MSS., who [wer] both firm opposers of the Bishops. I shall begin with Mr. Calderwood's account of this first diocesan Synod of Fife. "Upon the 9th of October, 1610, "Mr. G. Gladstones, Bishop of Saint Andrews, held a Diocesan Synod "who wer convened by the Bishops letters. The confyned wer absent, "except Mr. John Coudan, who upon a particular letter from the "Bishop compeared. The Bishop taught on 1 Cor. xv. 3. and inveighed "against such as wer contentious in matters indifferent. After the "doctrine, he desired the ministers to conven in the isle of the Kirk. "Formerly the Assemblys wer wont to be held in St. Leonards college. "The seats wer covered with green cloath, and on the east side was a table "set, covered with green, and a great velvet cushean, [a chaire and a "cusheoun] set beside the same, and a stool set for the clerk. After prayer "Mr. John Mitchelson was chosen clerk; therafter the Bishop craved a privy "conference. At last Mr. John Malcome, minister at St. Johnstoun, spoke "after this manner: Seing we are here convened, to see what shall be "done to the glory of God, and well of this Kirk, we would know by "what authority, and on what ground, the order of our Kirk established "in so many famous Generall Assemblys before, and ratified by the Kings "Acts, was altered; for we cannot see that order altered, but with greife of "heart, seing we acknowledge it to be [the] only true form of Government "of Christ's Kirk. The Bishop, in great anger, and with contempt, "answered that he would not have thôt that such an aged man would have "uttered such foolish talk, or could be ignorant of the Acts of the Generall "Assembly at Glasgow; he added, he would be Moderator, according to "that warrant, and he supposed that none was of that judgment but Mr. "Malcome. Upon this, other bretheren began to speak to the same "purpose; some of them styled him, my Lord, some, my Lord Moderator, "Domine Moderator, and some spoke off hand without any title. Mr. "William Erskine said, Domine, our Rñd. Brother and aged Father hath "not spoken without a cause, for suppose we be come here thinking it "is his Majesty's will, yet we are not minded, throu God's grace, to do

“ any thing, against any good order, or against our conscience, and therfor
 “ we would first see the warrand of your moderation, that if it be equitable
 “ we may proceed, otherwise, if ye will tyrannically do any thing, it wer
 “ better for us to be absent then present. The Bishop answered, who
 “ should inform you of the Acts of the Assembly? I will not satisfy
 “ any of your hearts that way. If you will go your way, upon your own
 “ perill be it; if ther wer but three or four, I shall do my duty and
 “ service to the Kings Majesty. Mr. John Kinneir said, Think ye that
 “ this can be a meeting to God’s glory, or to do any good, quhen you will
 “ sit to do as you please, and will not with patience hear the bretheren;
 “ ye will find discontentment in mo here conveened, if ye give us not
 “ some warrand. The Bishop became now calm and said, Its a strange
 “ matter, bretheren, that ye are so troubled about such indifferent matter;
 “ what matter who be Moderator, if nothing be done but to all your
 “ contentment? tary till you see somthing done; I shall promise, before
 “ God, that nothing shall be done, but with consent of the whole, or most
 “ part, of the Assembly. Mr. William Coupar said, My Lord, it wer
 “ well done to go to the matter and let the bretheren have contentment.
 “ The first thing proposed, was to chuse a privy conference; some
 “ bretheren said it was not usuall in the Assemblys of Fife before. Mr.
 “ William Buchanan said, it would be an ease to the Assembly, and it
 “ was ever a eustome in Generall Assemblys; it was concluded by plurality
 “ of votes. The Bishop nominated Mr. William Coupar, the Assembly
 “ nominated Mr. John Malcomb; the Bishop nominat Mr. John
 “ Mitchelson, the Assembly nominat Mr. Edmund Myles; the Bishop
 “ nominat Mr. Andrew Forrester, the Assembly nominat Mr. David
 “ Spence; so twelve or fourteen bretheren wer nominat this way. But
 “ when the conference was mett, the Bishop sent for Mr. Robert Howie,
 “ alledging that pastors should be joyned with pastors, in case any words
 “ wer cast in. The manner of the tryall of bretheren was thus: Five or
 “ six bretheren wer removed, and it was asked what any man had to say
 “ against them, either in their life or in their office; when he had asked
 “ ten or twelve in the catologue, then he asked in generall, if any man
 “ would speak, and thereafter caused the beddell to ery at the Kirk dore,
 “ Is ther any man to object against the ministers of A, B, C, D, &c., their

“ life and ministry, let them compear and speak. Thus wer the
“ bretheren perfunctoriously and for the fashion tryed. When the Bishop
“ would have hasted to the end of the Assembly, a brother said, the
“ tryall of the books of the Presbitrys was forgot. Some answered that
“ all the books of the Presbitrys wer not present ; it was ordeaned that the
“ books should be brôt as of before. Then the Bishop warned them, if any
“ man speak [spake] against the laws of the Assembly, he should be
“ deposed, and further punished according to his Majesty’s pleasure. The
“ Acts wer read, the bretheren wer greatly moved. Mr. John Condan,
“ who had hitherto been silent, said, We must either tyne a good
“ conscience, in holding back the truth, or endanger our ministry if we
“ speak ; if it fall out, that we must expound *Reges gentium dominantur*
“ &c., as the ancient fathers have done, and many recent widders, against
“ the superiority of Bishops, what shall we doe in this case ? The
“ Bishop answered, I told you, bretheren, I came not here to resolve
“ questions, but I will get you fathers, and recent widders also, mentean-
“ ing the authority of Bishops, out of the same place. Read Zanchius and
“ Bucer, &c., will any man come to me, and I will let him see what I
“ have for me, I will let him see warrands out of the word and fathers.
“ Mr. David Merns said, Our Kirk found it all untruth in this point,
“ while thir great livings came in ; ye pretend the word, but let us see no
“ warrand : we know nothing ye seek but gain and preferment in this
“ course. The Bishop in great rage, said, I beseech Jesus Christ, never
“ let me see his glory, if I would do as I doe, for all the worlde, if I wer
“ not perswaded I had the warrand of the word. I will say more, the
“ Lord judge me, if I have gone so far in this course, as I think the word
“ of God, and the practice of the primitive Kirk, gives me a warrand.
“ Mr. William Coupar said, My Lord, hear me, and, bretheren in Christ,
“ I beseech you, remember that thir things are not so essentiall points, as
“ to rent the bowells of the Kirk for them. Are thir things such as to
“ cast your ministry in hazard for them ? what joy can you have for your
“ suffering, when you suffer for a matter indifferent, as who shall be
“ Moderator ? who shall have the imposition of hands ? wherfor serves
“ it to fill the peoples ears with contentious doctrine, concerning the
“ government of the Kirk ? wer it not much better to preach sincerely,

“and to wait on and see what the Lord will work in thir matters? The P. 29.
 “Bishop applauded, and said no honest man would be of another opinion.
 “Mr. David Spence said no honest man would dissemble his judgment
 “in this matter; for a neutrall is not worthy to live in a common wealth,
 “let be in the Kirk of God. Can we that have seen the discipline of the
 “Kirk established by such worthy men of God, after long disputation
 “by the space of twenty two years, sworn and subscribed to the same,
 “call it a thing indifferent now? For my own part, added he, I stand
 “still persuaded, till I see reason out of the word of God to the contrair.
 “The Bishop said, Live ye upon your own opinion, and let every man be
 “answerable what he is doing. I tell you the danger, if you or any
 “man contraveen the Act. Mr. John Kinmeir said, Ther needeth no
 “reasoning, we must lay our account to abide the outmost extremity, if
 “we break these acts, and yet they are such as we think, in our conscience,
 “to be against equity and reason. No wonder, said Mr. David Spence,
 “if I had the value of forty shilling to plead before a judge, will I make
 “that man procurator for me, who I know will give my forty shilling
 “to my party? we know that these men, for the most part, that wer
 “nominat to that Assembly, wer of a contrary judgment to us, and therfor
 “would give them no commission from our Presbitry. Finally, Mr.
 “David Weemyse [Mearnes] said, We can do no less nor testify our
 “miscontentment in thir things, and protest before God that in our hearts
 “we are not satisfyed, and therfor wait till the Lord grant a better time.
 “The Bishop said, Do so and let us end: now wher shall the next Assem-
 “bly be? Mr. William Coupar stood up, and desired it might be in Perth.
 “Wherupon the Bishop nominat Saint Andrews and Perth to be upon
 “the lites, and by plurality of two or three votes, it was concluded to be
 “at Saint Andrews.”

Mr. John Row, minister of Carnock, who, we see, was writ for to
 this Assembly Synodall, gives us severall distinct particulars from Calder-
 wood. After a pretty large account of the Assembly, and two or three
 pointed instances of persons bribed by the gold brôt down to the
 Assembly at Glasgow by the Earle of Dumbair, he summs up the
 prodigiouse charges the King was at in setting up of Prelacy at this time
 in Scotland thus: “The King in bringing in the Bishops benefices to

Account of
 this diocesan
 Synod from
 Mr. John Row
 his history.

“ them, out of the noblmen hands, who had them—in buying votes at
 “ Assemblys—in defraying of all their other charges, and promoving of
 “ all their adoes and bussines, as coming to and going from and living at,
 “ court, prelat-like, that is, sumptuously [and] gorgeously, in apparrell, house,
 “ dyet, attendants, &c., did imploy, by the confession of such as wer best
 “ acquaint with, and wer actors in these bussinesses, above the summ of
 “ three hundred thousand pounds sterling money, that is six and thirty
 “ hundred thousand pound Scots, or fifty-four hundred thousand merks
 “ Scots money, a hudge thing indeed! but sin lying heavy on the throne
 “ and crying alloud for wrath is yet sadder than 300,000 lb. sterling.”
 After this remark Mr. Row comes to give account of Synods in October,
 1710, [1610,] which wer kept with relation to the statutes of the Assem-
 bly at Glasgow. He observes, Bishop Gladstanes kept two diocesan
 Synods—for the Bishops would not now use the old and good words of the
 Presbitry and provincially Assembly, but the bretheren of the exercise and
 diocesan Synod—one in Angus and another in Fife, and we shall find
 another in Lothian, that Mr. Row does not notice. In Angus, Mr.
 Row sayes, all the ministers met and gave obedience in all things to
 their ordinary, and adds, what stamp has been on the most of the min-
 isters of that province to this day, is too noture. As to the Synod in Fife,
 he tells us: “ At the day appointed, many of the ministers met, and the
 “ Bishop taught as if he had been last Moderator, but it is observable,
 “ that albiet he was minister of Saint Andrews, and then Archbishop, yet
 “ the province of Fife never chused him Moderator of their provincially
 “ Assembly, though he was frequently on the lites, which made him, in
 “ great anger, say, that he would not be any longer delected, that is, seeing
 “ they would never choice him Moderator, he would not be any more
 “ mocked by being still put on the leets. At this meeting he usurped
 “ the place of Moderator, without any leeting or voicing. The bretheren
 “ fearing he would do this, had met before hand and chosen Mr. John Mal-
 “ come minister of Perth, being the most aged of those who wer knowen to
 “ love the cause of God, to speak in their name, against any prelatially
 “ usurpation that should that day appear, and if the Bishop would not
 “ suffer them, according to the good old form of the Church of Scotland,
 “ to chuse their Moderator, his order was to rise and remove, and all the

“ministers oblinded themselves to follow him. Mr. Malcome promised
 “to do this. The Bishop, being set down in the Moderators chair,
 “began to pray, and some would have interrupted him, but he said, Let us
 “begin with prayer, and then speak what ye think good. The prayer
 “ended, the Bishop began to shew what warrand he had to take that
 “place and authority upon him, by the Acts concluded at the late
 “Assembly at Glasgow. Then after much contradiction and many
 “good reasons against him, both from Scripture and Acts of our
 “Generall Assemblys in the purest and sincerest times of our Kirk,
 “the Bishop at lenth uttered these words, God let me never see Gods
 “face, nor be partaker of his kingdom, if I should take this office upon
 “me and place, if I wer not perswaded it wer both lawfull and expedient.
 “To the which cursing himself, it was answered, that his pretended
 “groundles persuasion should not destroy the good order that was
 “established in our Kirk. Wheron sundry began to protest against his
 “usurpation, desiring Mr. John Malcomb to rise and leave him, and
 “promising as was foragreed to follow him. But Mr. Malcomb, (a man
 “who had not a brow for that bargain,) was dissuaded by his colleague,
 “Mr. William Coupar, who stood up and said, Bretheren, it shall be
 “best to stay, and try if he does any thing contrair to the order of
 “former Assemblys, and we shall all leave him. The Bishop himself
 “used many fear speeches to allure the bretheren to stay and see what
 “was done, yet some began to protest against what was already done in his
 “preceed[ing] usurpation. The Bishop then said in great anger, I care
 “not what ye doe, if ther wer but six or seven bretheren who will stay,
 “I shall do the turn that I shall do, and be answerable to the King for
 “what I do; he said not, to the Generall Assembly, nor spake he as James
 “directs, saying, God willing, if the Lord will, &c. Thus Mr. John
 “Malcome, according to his promise and order, not removing, and the
 “Bishop solemnly promising to do nothing but as they should direct
 “him, he chused a clerk and said, The tryall of Presbitrys, is the principall
 “thing, I think, that is to do at this time, and so, a very perfunctorious
 “and superficiall tryall being made, the bretheren dissolved with great
 “miscontentment.”

Mr. Row adds, that in October all the rest of the Bishops kept their
 diocesan Synods, albeit with great contradiction, [and] discontentment in

Mr. Rowes
 remark on the
 small opposi-

tion made to
the Bishops at
their Synods.

some of them. He adds, Its no marvail that I say only in some of them, seing the most godly, learned, zealous, and wisest of the ministry, many of them wer removed by death or bannishment, warding or confynment; so that they, not being present to oppose, could neither act in their own person, nor stirr up others to their duty, as they would have done, had they been present. It was certainly knowen, that Mr. Gladstanes did write to the King, confessing that if Mr. Andrew Melvil had been in the country, and at liberty, (at this time he was in the tower of London,) it had not been possible to him to have got that turn done.

Procedure of
the Synod of
Lothian, Nov.
1, 1610.

It is Bishop Gladstanes I [am] at present cheifly concerned in, and as we have seen the carriage of his diocesian Synod of Angus, and that of Fife, so let me give some account of that of Lothian, of which Mr. Calderwood gives pretty large accounts. The Synod was convened at Haddingtoun the first of November. I shall give the Bishops letter to the Presbitrys of this Synod, particularly that of Haddingtoun, and I imagine they wer all of the same nature, with the procedure of the presbitry, and that of the Synod when they met. The Bishops letter to the Presbitry of Haddingtoun runs thus :

Grace be Multiplied to you.

Bishop Glad-
stanes letter to
Presbitry of
Haddington,
Oct. 3, 1610.
P. 31.

“ Beloved bretheren, Wheras the convention of the diocesian Synods
“ is committed to the care of the A. Bishops and Bishops in their own
“ dioces, and, wher the diocy is great, to divide them for the commodity
“ of the bretheren ; so as I have applyed myself to my pain, to the ease
“ of the rest, I thought meet to convocat my bretheren of the ministry
“ of the dioces of Saint Andrews, besouth Forth, to convene at Hadding-
“ toun, and begin that Assembly the first day of November first to
“ come, and therfor I am to require so many of your number as are in
“ the diocy, to be present there tymeously, accompanied wth two or three
“ commissioners from each parish, assuring you that I can do no less in
“ duty, than to adjudge the absents wilfully to the penalty appointed by
“ the last G. Assembly, q^{ch}. at the least is suspension from the ministry.
“ Thus the grace of God be with you. At Sanct Andrews, Oct. 3, 1610.

“ Your loving brother in the Lord,

“ SAINT ANDREWS.”

What the Bishop designed by requiring two or three commissioners from every parish, as well as the minister, to be at the Synod, I do not know. The ruling elders wer not an office that was much favoured by the Bishops; whatever was the reason of this, we see it was not in his letters to the ministers of Fife. Mr. Calderwood gives us the procedure of the Presbitry of Haddingtoun upon this letter, from their registers. Procedure of the Presbitry of Haddingtoun on this letter, Oct., 1610.

“ The Presbitry of Haddingtoun, upon the receipt of this letter, resolved upon three things; first, that they should pen a gentle protestation, in the fairest termes, with the best reasons they could; secondly, that the Moderator present the same, *primo quoque tempore*, subscribed by him and the clerk in their name; and if it should not be received out of his hand, that then he should utter the substance therof by word, and every one of them, as God should offer occasion, promised to bear hand to him, and urge the same; lastly, albiet all wer not resolved to suffer, yet all granted it was expedient to suffer, and therfor thôt meet simpliciter to refuse his judicatory. The tenor of the protestation followes, as it stands in the Presbitry books :

“ Forasmuch as we have had as well civil as ecclesiasticall lawes, prescribing and authorising the externall government and discipline of the Kirk, agreeable to the word of God, and have practised the same so many years, wherto we have sworn and subscribed at the Kings Majestys command, and of the Generall Assemblys of the Kirk, as well in the confession of faith as books of policy of the Kirk, as likewise, at his Majestys command, and of the Generall Assemblys, have craved and obtained of all Earles, Lords, Barrons, and others of his Majestys subjects, within our congregations, by their oaths and subscriptions, allowance, approbation, and practice therof; And wheras of late some diversity and distraction of opinions have entered amongst the bretheren, for removing wherof, at the Assembly holden at Linlithgow, wer nominat twenty persons, to have met, reasoned, and conferred, and to have reported their judgments; which reports not as yet being made as was required to be done, for satisfying of the consciences of the bretheren : THERFOR we desire, in the name of God and his son Jesus Christ, that the said ordinary mean may be used for our resolution on the said contraversy, and that the same discipline prescribed, confirmed, Their protestation to be presented in the Bishops diocessian Synod.

“and practised with good reason out of Gods word, may be reteaned,
 “aye and while better be shewed out of God’s word. In the mean time
 “we request that we be not pressed and urged to the accepting and
 “practising of any other discipline and goverment of the Kirk.

Procedure of
 the diocesan
 Synod at Had-
 dington, Nov.
 1, 1610.

P. 32.

“The day following, the diocesan Synod convened, and the Bishop
 “taught on Judes epistle, v. 11 and 12. After sermon he came down to
 “the table. The first thing that he proposed, was to have a clerk, referring
 “it to the opinion of the bretheren, whither they would have a formall man
 “(meaning a laick,) to be clerk, or a minister. Some cryed out that a
 “minister was most seemly for such a meeting. Mr. Charles Lumsdan,
 “Mr. William Pourie, and [John Lawder] wer nominat upon the lites.
 “Mr. James Carmichael, Moderator of the Presbitry of Haddington, was
 “silent all this time, albiet his bretheren gave him many signes to utter his
 “commission. In end, after the Bishop had asked the votes of ten or
 “twelve, he asked at Mr. John Ker, minister of Salt-Prestoun, Brother
 “whom think ye mcetest to be clerk? He answered, Sir, ther is another
 “matter which must go before the choicing of a clerk. He demanded
 “what it was. Mr. Ker answered, that their Presbitry had given commis-
 “sion to Mr. James Carmichael, their Moderator, to present some few lines
 “in their name, which he hoped the Assembly would find to be reasonable.
 “The Bishop replyed there could be nothing received, neither by word nor
 “write, conveniently, without a clerk, but when the clerk was chosen, he pro-
 “mised that what they had to say either by word or write should be heard ;
 “Therfor I pray you, said he, give your vote to one of the three. The
 “other said, I will not stand to give my vote, under protestation that it
 “shall not be prejudiciall to what shall be said or done by my bretheren.
 “Afterwards the Bishop answered, It shall not prejudge you ; and so he
 “voted [for] Mr. Charles Lumsdane, who by plurality of votes was chosen
 “clerk. Therafter Mr. John rose to have urged his purpose, which
 “the Bishop espying called upon Mr. James Carmichaell. Mr. James
 “by a long and unprofitable harangue hindered the reading of the
 “protestation, or rather supplication, which, albiet it was smooth, yet it
 “was more sharp and pertinent than his speech ; next he propounded two
 “articlees of his own head, without a commission, viz., that my Lord
 “Bishop, and others having credit, should intercede with his Majesty to

“get strait caveats to restrain the ample authority of the Bishops ;
“next, that such a course should be used, as the distraction of affection
“might be avoided ; he came at last to the written commission of the
“Presbitry, but he uttered the same very sparingly, omitting the
“last clause ; at every occasion he called the Bishop my Lord. The
“Bishop said, Seing he hath spoken his mind so largely by tongue, he
“needeth not read his paper, and began to answer him. Mr. Andrew
“McGhie helped Mr. James, and answered to the Bishops reply, to
“whom Mr. Archibald Oswald pressed to succeed, and because by his
“preface he meant, both in his own name, and in the name of the
“Presbitry, to renounce the Bishops judicatory, the Primate rose in
“a fury, and said, What is this that I am doing, I am not come here to
“reason and contend with words, but to execute lawes, and therfor I
“will not hear you nor no man speak more in publick, and commanded
“him silence. Mr. Archibald answered, If ye will not hear me but
“command me silence, I shall obey and be alwise silent. The Bishop
“said, I mean not to hinder you to speak in the right time and place ;
“ye shall be heard in the conference, with your bills and protestations,
“and if they be reasonable they shall have a reasonable answer. He
“commanded all then to be silent while the names wer called on, and so
“he chused the conference. The three bretheren forsaid thôt that
“others should have assisted them ; but they found no assistance, as was
“promised both by their own bretheren, and the Presbitry of Dalkeith.
“He nominat ten for the conference, for he often said ten or twelve are
“sufficient, wherin he aimed at the form of a chapter. Ther wer none
“chosen on the conference well minded, save Mr. John Weemyse. So
“ended the first Session, when the Bishop going home at the very
“entry of the Kirk dore had almost broken his leg, for a great stone,
“almost six quarters every way, slept down with him alone, and fell down
“in a trough, which was marvelouse, two or three hundred having gone
“out before him. In the afternoon, the Presbitry request was handled
“in the privy conference, and the three bretheren wer accompanied with
“the rest of the bretheren of the Presbitry and Mr. John Adamson.
“The Bishop gave them very fair words, prayed them to be peacable,
“granted that which they craved was commendable, because it proceeded

“ from good affection, But as for me, said he, I dare not nor will not
 “ excomm you from obedience, but will be content to communicat my
 “ light with you, wherof I am well assured. Mr. John Ker answered,
 “ they wer as willing to communicat, and wer as well assured of their
 “ light as he was of his, and therfor desired that at the least he would not
 “ burden at least their presbitry with that yoaik of obedience to his govern-
 “ ment. The Bishop answered, he neither would nor could. Mr. Oswald
 “ said, he would not refuse to obey any law of the Kirk, as far as his weak
 “ body and tender conscience would permit him, But as for this matter I
 “ will be plain, said he, I am resolved not to obey, because my conscience
 “ hinders me. Mr. John Ker added, And I hope we be all of this mind.
 “ The Bishop answered, Obey or not obey upon your own peril, for you
 “ know it. None of the bretheren of the Presbitry of Haddingtoun wer
 “ called that night in any purpose, except Mr. James Carmichael, who
 “ did sit, vote, and reason. The day following, the Bishop was informed
 “ that the bretheren of the forsaid Presbitry would refuse his censure,
 “ therfor he was loath to medle with them, till he was forced in a matter
 “ concerning the plantation of the Kirk of North Berwick; but they
 “ kept themselves free; when Mr. John Ker was demanded, he said, he
 “ neither could nor would vote in that place. The Bishop passed to
 “ another. Daniel Wallace said likewise, he would not acknowledge that
 “ place; others of their number answered the like, but not so distinctly.
 “ James Reid removed himself and came to his tryall at the Bishops
 “ command; the rest of the presbitry went out before they wer called
 “ on. The constant Moderators wer all almost continoued. It was
 “ ordeaned that a Bible should be bought to every parish from Andrew
 “ Hart. Mr. Thomas Bannantine was appointed minister of North Ber-
 “ wick, by plurality of eight votes; ther wer 14 or mo votes for him of
 “ the Laicks, who voted for him.” Thus I have given the best account
 I could meet with of the diocesian Synods after the Assembly at Glasgow,
 and we will see it was not without a considerable struggle that the
 Bishops wer ouened in these meetings.

His letter
 to the King
 about his son,
 Oct. 17, 1610.

While the Archbishop is thus struggling for his powers with the
 ministers, he is not unmindfull of his family and son. In October, this
 year, he sends up his son to the University of Cambridge, that he might

have the benefit of English education. The Bishop writes a letter to the King, with his son, when he comes up to the English University, which I insert here, because short, and what will give us a view of him in his family capacity.

“ Most Gracious Sovereigne,

“ May it please your most excellent Ma^{ty}, Wheras my son has been
 “ a student of Divinity at Cambridge this year ; and by reason of the
 “ plague there has been debarred for a space therefra, I have taken the
 “ boldnes to send him back, that if the sicknes continou in Cambridge he
 “ may go to Oxford. I hope your Ma^{ty}. shall in a few years find him a
 “ well inclined and qualified servant to your Ma^{ty}. Wherfor, my dread
 “ Sovereigne, please your Ma^{ty}. to honnour him w^t a kiss of your Ma^{ty}s.
 “ sacred hand, and receive from him some memoires q^{ch}. I am bold to
 “ present to your Ma^{ty}. touching your Ma^{ty}s. service. I hope your Ma^{ty}.
 “ will peruse the same when your Ma^{ty}. shall think fittest, and send back
 “ your Ma^{ty}s. good pleasure, as and when best shall please your Ma^{ty}. ;
 “ Thus I beseeke God to bless your Ma^{ty}. w^t all grace and prosperity for
 “ ever.

“ Your Ma^{ty}s. most humble servant,

“ and devoted orator,

“ St. Andr., 17
 “ Oct., 1610.”

“ SANCT ANDROIS.”

Upon Bishop Spotswoods Life we shall have an account of the consecration of 3 of our Scots prelates at London. These three returned from Court in December, and, after all things for the ceremony wer ready, they met at Saint Andrews, upon Sunday, January 13, 1611, and Mr. George Gladstanes was consecrat Archbishop of Saint Andrews, and severall others wer consecrat with him. The Bishops ordeaned in England kepted as near the manner taken with them selves there as they could. It was designed that all our Scots Bishops should have been ordeaned together, but severall wer absent ; the stormy weather was given as the reason of it, but it was said that some of them stuck a litle at the ceremonies that

Bishop Gladstanes consecrated Archbishop of Saint Andrews, January 13, 1611.

wer to be used. However they soon got over their difficultys, and such as wer not consecrat at Saint Andrews, wer ordeaned at Leith on the Lords day, February 24, the same year.

The Bishops
letter about
planting Dun-
dee, March
2, 1611.
P. 34.

The Bishops still brôt the King by their letters to assist them in settling persons whom they wer pushing in upon parishes of consequence. Whither ther was any debate in settling the town of Dundee with Mr. Wedderburn at this time, or whither only by way of complaisance they acquainted the King, I cannot tell, but the Bishops letter on this matter follows.

“ Most Gracious Sovereigne,

“ May it please your most excellent Ma^{ty}, Wheras the burgh of
“ Dundee is desirouse to have one Mr. William Wedderburn to be planted
“ as one of their ministers, that place being a great Burrow toun, q^{ch}. cannot
“ be planted without your Ma^{ty}s. royall consent, we have been carefull to
“ try the qualitys and disposition of the said Mr. William, and have found
“ him of a peacable disposition, and have taken of him band and surety that
“ he shall obey all the acts of the late G. Assembly ; next that he shall
“ not medle in doctrine or conference w^t the contraverted heads of disci-
“ pline ; thridly, that he shall conform himself unto whatsomever order
“ of Kirk government q^{ch}. your Ma^{ty}. and the Kirk shall set down ; upon
“ the which we take boldnes, to recomend him to your Ma^{ty}. that your
“ Ma^{ty}. may testify your royall consent, by your Ma^{ty}s. letter directed to
“ us. Thus referring to your Ma^{ty}s. graciouse pleasure, we beseeke God to
“ bless your Ma^{ty}. for ever.

“ Your Ma^{ty}s. most humble servants,

“ SAINT ANDROIS,

“ Edin^{rg}, 2 March,
“ 1611.”

“ M. A. BREICHIN.”

His
March
1611.

letter, 16,
Upon the 16 of March, when, upon the Earle of Dumbarrs death, some of the Bishops went up to Court to take care of their affairs, upon the falling of one of their chief supports, the Bishop of Saint Andrews wrote the following letter to the King :

“ Most Graciouse Sovereigne,

“ May it please your most excellent Ma^{ty}, Wheras delation was made
 “ to me by the Bishop of Murray, that one Mr. John Straitoun, minister
 “ of Forres, has spoken very contumeliously against the G. Assembly at
 “ Glasgow and the episcopall jurisdiction, publickly, in an exercise in the
 “ Bishops own presence, I have caused cite him before your Ma^{ty}s. high
 “ commission. The day of his compearance was Thursday last, the 4 of
 “ this instant, at which time, after tryall, we have found him worthy of
 “ punishment, and therfor have silenced him, and committed him to ward
 “ in your Ma^{ty}s. castle of Inverness, till your Ma^{ty}s. pleasure be farther
 “ known. In this matter I had the concurrence and advice of my Lord
 “ President who accompanys me in your Ma^{ty}s. service most lovingly and
 “ forwardly. This Friday, the 15 of this instant, the consecration of the
 “ Bishop of Murray was solemnized very honnourably, and countenanced
 “ by the said Lord President, and many other Lords of the secret coun-
 “ cil, whom he drew thither for authorizing this solemnity. Before this
 “ order came, it was odious, but in the use therof all the hearers thôt it
 “ tollerable ; and now the beholders and auditors are moved to praise and
 “ extoll it as a holy, wise, and grave policy. Next Teusday holds my
 “ diocesian Synod besouth Forth in Edin^r, and upon the 2^d. of Aprile q^{ch}.
 “ is the sein3ie day appointed by your Ma^{ty}. in Saint Andrews benorth
 “ Forth, from which I go to proceed in my visitation, q^r. I left, q^{ch}. was
 “ in the Carse about Perth, for the removed parts in the north I have dis-
 “ patched this last summer with very good effect, I praise God. Thus,
 “ as becomes me, *Reddo rationem villicationis meæ*. Our other affairs
 “ I refer to the sufficiency of my Lords of Glasgow and Orkney, the
 “ establishing of whose Bishoprick, it being one of my province, I humbly
 “ recomend to your Ma^{ty}s. princely care and consideration. Thus I
 “ humbly beseeke God bless your Ma^{ty}s. royall person and goverment wth.
 “ encrease of grace, prosperity, and honnour for ever.

“ Your Ma^{ty}s. most humble

“ Subject and servant,

“ SANCT ANDROIS.

“ I most humbly and earnestly beseeke your Ma^{ty}, to give thanks to
 “ the honest and kind Secretary, for his great love and kindness to me
 “ and all the Bishops my bretheren.”

“ Edin^r, 16 March, 1611.”

His diocesan
 Synod in
 Edin^r, March
 19, 1611.
 P. 35.

Upon Teusday the 19 of March, Bishop Gladstanes, as he tells the King, held his diocesan Synod in Edinburgh. I shall give Mr. Calderwoods account of this Synod, and add some things to enlighten it. “ After
 “ exhortation and thanksgiving, the members of the privy conference wer
 “ chosen. In the 2d Session, the form and tryall of persons who are to
 “ be admitted to the ministry, that had not exercised publickly, was con-
 “ cluded as followes :

Form of
 tryalls before
 admission of
 Ministers,

“ It is concluded that whosoever person, who has not exercised publickly of before, and desires to be admitted to the ministry, that before
 “ his admission to the ministry, he be tryed, after this form. 1. That he
 “ teach in Latine privatly. 2. That he teach in English privatly. 3.
 “ That he add to the exercise publickly, and teach in the pulpit popularly.
 “ Last of all, that he be tryed with positions and questions upon the con-
 “ traverted heads and places of Theology, and all these tryalls to preceed
 “ his admission.

“ Mr. Adam Bannantyne, minister at Falkirk, now Bishop of Dunblane, craved an helper and fellow-labourer to be granted him, upon his
 “ own charges, in respect of the far distance between his Kirk and the
 “ lands of Kilconquhar, which fell to him by the death of the Laird.
 “ But he was ordeaned either to transport himself, conform to the Act of
 “ transportation granted him at the last Synod, that the Kirk may be
 “ declared to vaik, or else to demitt the said benefice, or else to serve in
 “ person, and make residence in his own person, to teach and minister
 “ the sacraments, all substitutes and fellow-labourers being seclused under
 “ pain of deposition, and, the premises failing, that he be deposed from all
 “ function in the ministry.” Mr. Calderwood adds, ther was just cause
 to deal with Mr. Bannatyne thus, because his parish was destitute of
 the preaching of the word the half of the Sabbaths of the year. No
 wonder that he aspired to a Bishoprick, who made so litle conscience of
 his ministeriall function. He said, when zelouse on the other side, that

the Bishop of Dumblane, the excrement of Bishops, had licked up the excrement of Bishopricks, but when Mr. George Graham was transported from Dumblane to Orkney, he licked up his excrements, and got the Deanry of the Chappell royall annexed to the Bishopricks of Dumblane.

“ It was ordeaned that the Act of the Generall Assembly holden at Glasgow, the 8 of June, 1610, against the absent ministers from diocesian Assemblys, and ordinary visitation of Kirks, without just cause of lawfull excuse, be put in execution : viz., that they be suspended from office and benefice, and, if he mend not, that he should be deprived; and this Act to be intimate in the whole conventions of bretheren within this present diocesian Synod. Act against Ministers absent from Synods.

“ The Archbishop caused read and intimat to the whole bretheren of this diocesian Synod, his Majestys will and declaration anent the discipline that ministers have over their parishoners, and anent the election of Kirk sessions, as at more lenth is conteaned in his Majestys will, read by the Archbishop to the said bretheren of the Synod.” Mr. Calderwood adds, that the Bishop so far prevailed, that the authority they had purchased at that woefull Assembly at Glasgow was not controlled nor called in question even by whole Synods, let be particular persons, some few excepted, who wer confyned for not subjecting themselves to the Bishops authority in their diocesian Synods. Yea Bishop Gladstanes is not now mentioned in the Synods Acts without the stile of Lord or Archbishop; howbiet, that the name of Archbishop was not once mentioned in the Act of Glasgow. The name of Presbitry is not once made mention of in this Synod, but only the bretheren of the exercise, or convention of the bretheren of the exercise. Kings declaration about discipline and Sessions.

I wish Mr. Calderwood had preserved to us the Kings declaration upon discipline and sessions. In Bishop Spotswoods history, I find a paper, p. 514, which he entituleth Directions for matters ecclesiasticall sent by the King to the Clergy; and, when they wer exhibited to the Bishops, and some principall of the Clergy convened with them at Edinburgh, February, 1611, they wer approved of all. These I take to be the same Mr. Calderwood tells us wer read at this Synod, and Ile transcribe them. They came down from the King with the establishment of the high commission, and the first relates to that. They are as followes : Kings directions for matters Ecclesiasticall.

P. 36.

“ 1. That every particular matter should not at first be brôt
“ before the high commission nor any thing moved unto it, except the
“ same was appealed unto, or compleained by one of the Bishops as a thing
“ that could not be rectified in their dioces ; or then some enorne offence
“ in the tryall wherof the Bishops should be found too remiss.

“ 2. That every Arehbishop or Bishop shall make his residence at
“ the Cathedrall Church of his dioces, and labour, so far as they can and
“ wer able, to repair the same.

“ 3. That all Arehbishops and Bishops be carefull in visitation of
“ their Dioceses, and every 3d year at least take inspection of the readers,
“ ministers, and others serving cure, within their bounds.

“ 4. That every Archbishop visit his province, every seven years at
“ least.

“ 5. Wheras ther be in sundry dioceses churches belonging to
“ other Bishops, that care be taken to exchange the churches, one with
“ another, that all the dioceses may lye contigue, if possibly the same may
“ be performed ; as likewise, in regard some dioceses are too large, and
“ others have a small number of churches, scarce deserving the title of a
“ dioces, that a course be taken for enlarging the same in a reasonable
“ proportion, by uniting the nearest churches of the greater dioces
“ therunto.

“ 6. That the convention of ministers for exercise of doctrine exceed
“ not the number of 10 or 12 at most, and over them a Moderator
“ placed by the ordinary of the dioces wher the said conventions are
“ licensed, with power to call before them all scandalous persons within
“ that precinct, and censure and correct offenders according to the canons
“ of the Church ; yet are not these Moderators to proceed in any case
“ either to excommunication or suspension without the allowance of the
“ ordinary ; and, if it shall be tryed that these ministers shall usurp any fur-
“ ther power than is permitted, or eary themselves unquietly in teaching or
“ otherwise, at these meetings, in that case the Bishop shall discharge the
“ meeting and censure the offenders according to the quality of their fault.

“ 7. Considering that laick elders have neither warrand in the word
“ nor example of the primitive church ; and not the less its expedient
“ that some be appointed to assist the minister in repairing the fabric

“ of the Church, providing elements to the holy communion, and collecting the contributions for the poor with other necessary services, the ministers to make choice of the most wise and discreet persons in the parish to that effect, and present their names to the ordinary, that his approbation may be had therunto.

“ 8. That the ministers of the parish be authorised to call before them and the associats so allowed all publick and notorious offenders, and enjoyn satisfaction according to the canons of the Church, or, if they be obstinat and contumacious, declare their names to the Bishop, that order may be taken with them.

“ 9. That no minister be admitted without exact tryall preceeding and imposition of hands used in their ordination by the Bishop and two or three ministers, whom he shall call to assist the action, and, to the end one uniform order may be kept, in the admission of ministers, that a form therof may be imprinted and precisely followed by every Bishop.

“ 10. That the election of Bishops shall in time coming be made according to the Conference, annò 1571. And while the Bishoprick remaineth void, that the Dean of the chapter be *vicarius in omnibus ad episcopatum pertinentibus*, and have the custody of the living and rents, till the same be of new provided.

“ 11. That the Dean of every chapter convene them once at least every year, and take nottage that nothing pass, except they be *capitulariter congregati*, and that a Register be made of every thing done by the Bishop or Archbishop, in the administration of the rents, and safely kept in the chapterhouse.

“ 12. That when it shall be thòt expedient to call a Generall Assembly, a supplication be put up to his Majesty for liseuse to convene, and that the said Generall Assembly consist of Bishops, Deans, Archdeacons, and such of the ministry as shall be selected by the rest.

“ 13. And, because ther hath been a generall abuse in that Church, P. 37. that youths, having passed their course in Philosophy, before they have attained to the years of discretion, or received lawfull ordination by imposition of hands, do engyre themselves to preach, that a strict order

“ be taken for restraining all such persons, and none permitted but “ those that have received orders to preach ordinarily, and in publick.”

By these directions, coming indeed from the King in name, and sent down and imposed by his ecclesiasticall supremacy, but indeed contrived here by the Archbishop, and rest of the Bishops, the comely and Scripturall Presbyteriall government of this church was overturned, not by any Act of the Church, but meerly by orders from the State, impetrate by the prelates, and in this shape, with a few changes, things stood till the happy change, 1637 and 8. Upon Bishops Spotswood's Life I shall take notice of some orders and constitutions synodically agreed upon next year for discipline, which I recon wer drawn up by the Bishops.

Procedure,
diocesian Syn-
nod at Saint
Andrews.

I find by Mr. Calderwood that upon Thursday the 2d of Aprile, the Primat sent letters to every Presbitry in Angus, Merns, Strathern and Fife, to warn all the ministers benorth Forth, to meet next Teusday at Saint Andrews, alledging that he had his Majestys warrand and command to do so. This convention held in the seinzie week. The occasion wherfor they wer said to be convened, was to advise what way uniformity of Discipline should be established in all the Kirks of the diocy, because as the Bishop affirmed we wer to have no more Generall Assemblies, and therfor diocesian Synods behoved to supply their place ; so some wer appointed to conven for that end, and to report their diligence to the next Assembly. At this Synod it was appointed that Ministers should wear gouns at all the after Synods.

The Bishops
letter to the
King, May 30,
1611.

Now that the Archbishop had got his Synods modelled pretty much to his pleasure, very litle further offers to me about him, till his death, save two or three more letters of his to the King, and a few more particulars. In a letter dated May 3d, he gives an account of this Synod in Aprile, at Saint Andrews, and other things going at this time. The letter runs thus :

“ Most Gracious Sovereigne,

“ May it please your most excellent Ma^{ty}, According to your Ma^{ty}s
“ royall direction, I assembled the whole ministers of my diocy benorth
“ Forth to Dee, in the city of Saint Andrews, upon the first day of the

“ seinzie, and continued that work, according to the ancient custome,
 “ wher I found nothing but obedience and conformity in all, and did
 “ all things w^t great peace and contentment, w^t such vogue and authority
 “ in such confluence of ministers, as I think it was inferior to no Gen-
 “ erall Assembly that has been in this kingdome, q^r your Ma^{ty} was not
 “ present, q^r S^r John Ogylby his absolution was concluded, because he
 “ had not only satisfied by oath and subscription the ministry, but also
 “ your Ma^{ty}s treasurer, and was relaxed from the horn after his payment
 “ of his composition. According wherunto I received him into y^e bosome
 “ of the Church, in the Kirk of Saint Andrews, the day of our com-
 “ munion; swa that thereafter he communicat w^t us. Captain Tyrie
 “ his excommunication is ordered to be denounced of new, for that he
 “ deludes the Kirk, prorogates the time of his resolution, and is a
 “ scandall to the whole kingdom, who also think that his familiar usage
 “ w^t the Earle of Hume hinders his Lōps resolution. And I was
 “ desired to entreat your Ma^{ty} most humbly that your Ma^{ty} may give
 “ command to the councill, that either he may be dispatched the country,
 “ or conform himself to the true religion; wheranent I expect your
 “ royall direction. I have directed my son in law, the Rector of the
 “ University, to go forward in teaching the canon law, as the ready way
 “ to bring out the presbyterian discipline from the hearts of the young
 “ ones, and to acquaint even the eldest, w^t the ancient Church gover-
 “ nment, wherof they are ignorant, and the University has agreed ther-
 “ unto. This service is gratuitously done by the gentleman. When
 “ occasion serves, and after tryall of his valour, learning and wisdome, I
 “ hope your Ma^{ty} will have some regard of him, and the rather for
 “ my cause. As for the affairs southward, concerning my residence in
 “ Edin^r, which your Ma^{ty} commands, I have kepted the same precisely,
 “ and have resided there these two years passed, during the time of
 “ the sitting of the Session, to my great and exorbitant expenses.
 “ Alwise I shall never jacke to spend this body and the mean I have
 “ received of your Ma^{ty}, in your Ma^{ty}s service. As concerning my preach-
 “ ing, and of others in the Kirk of Edin^r, I shall so do that your Ma^{ty}
 “ may gain your peoples hearts by my form of dealing therin. But, S^r,
 “ let me say, the Bishop of Orkney his ordinary preaching in Edin^r will

“ seem to be a cloak for his nonresidence y^r, for it shall be meetest,
 “ that he as others of our rank shall be employed to teach their obiter,
 “ and I ordinarily, for as for me, *væ! mihi si non evangelizavero*, for
 “ that is my joy and crown. All the Bishops of my province are now
 “ consecrated, for after that I had performed y^t work so in Leith and
 “ Edin^r, that the very precisians who had carryed prejudice about that
 “ purpose, wer fully satisfyed, being informed that those in the north,
 “ (who benorth my diocy are more unruly than any in the south,) spake
 “ calumniously both in publick and privat of that consecration, I thôt
 “ meet there also to practise that action, and therupon have consecrat
 “ the Bishops of Aberdeen and Caithness, in the Cathedrall Kirk of
 “ Brechin, being assisted w^t the Bishops of Dunkeld and Brechin,
 “ [in] the sight of such a multitude of people, as I never saw in such
 “ bounds. And so the whole north, as well as the south, is well resolved,
 “ in so much that I may compare w^t any prelate in the island of
 “ Brittain, in matter of obedience to God, to the King, and to me,
 “ the unworthy servant of you both. As concerning your Ma^{ty}s. direction
 “ as to the ministers of Fife, that admitted Mr. Robert Murray upon my
 “ Lord of Scoon his presentation, I have caused sumon them before the
 “ Lords of your Ma^{ty}s. high commission, and shall precisely follow your
 “ Ma^{ty}s. direction anent them, if they lay not over the same upon one
 “ another. Ther hath been a great jarr and sedition in Perth, by reason
 “ of an emulation betwixt Mr. William Coupar, and the clerk of the
 “ town, who had each one their own followers. Wherupon I have
 “ denouncit and finished a visitation of that Kirk, wherin I have settled
 “ matters in peace and love, and satisfaction of all partys. Mr. John
 “ Rutherford was placed by me in the Kirk of Darsie, very solely
 “ before the recit of your M. letter. My advices are sent herewith to
 “ your Ma^{ty}, whilk please read and direct according to your Ma^{ty}s. incom-
 “ parable wisdom. Thus, I beseeke God to bless your Ma^{ty} w^t all
 “ temporall and spirituall prosperity in Christ. I rest,

“ Your Ma^{ty}s. most humble

“ and obedient servitor,

“ Saint Andrews,

“ May 3, 1611.”

“ SANCT ANDROIS.”

The Archbishop continues his accounts of matters to the King in another letter of the 9th of June, which runs thus :

“ Most Gracious Sovereigne,

“ Whereas it pleased your Ma^{ty}. to direct me to cite some ministers
 “ of Fife, before your Ma^{ty}s. high commission, for admission of the minis-
 “ ter of Stramiglo to the function of the ministry, w^out consent and
 “ presence of his ordinary the Bishop, against the canons of the Kirk,
 “ we have done so, and have confyned them during your Ma^{ty}s. pleasure,
 “ and while further of your Ma^{ty}s. will be knowen. We have all found
 “ that these persons, viz., Mr. John Caldeleugh, James Pitcairn, Henry
 “ Leech in Auchtermoutie, and Andrew Bennet in Mounimeal, are
 “ men no wise of evil disposition, nor never wer, to your Ma^{ty}s. service,
 “ and what they have done in this matter is only of simplicity and
 “ ignorance, and therfor I was desired humbly to entreat your Ma^{ty}., for
 “ pardon and reliefe of y^m. from their warding, specially because Mr.
 “ John Caldeleugh, who was principall actor, has ever been and is your
 “ Ma^{ty}s., and being Moderator of that exercise, his absence therfrom.
 “ Thus we expect your Ma^{ty}s. graciouse answer anent them, but for as
 “ much as in y^t. action they wer directed by the exercise, it shall be meet
 “ that your Ma^{ty}. give direction and charge to me that the samine be
 “ dissolved, and out of the breach therof another be established in Falk-
 “ land, especially since in the first erection of Presbitrys, anno 1581,
 “ at Glasgow, Falkland was appointed a speciall place for a Presbitry,
 “ (for I have presently read the Acts of that G. Assembly, swa that ther
 “ shall be a good warrant therfor,) and therby also we will have occasion
 “ to draw in some weel affected bretheren to the exercise of Saint
 “ Andrews, q^r. remains as yet some brood of the old Canaanites not
 “ fully rooted out. After the return of my Lord of Glasgow, among
 “ other purposes he shewed me that it was your pleasure and direction
 “ to my Lord Chancelour, that, in censuring the town of Saint Andrews,
 “ respect should be had to me, and y^t. I should be posessed w^t the like
 “ priviledge in the election of magistrates there, as my Lord of Glasgow
 “ is endued w^t in that his city. But when I passed to my Lord Chan-
 “ celour to enquire of your Ma^{ty}s. pleasure, therant, he denyes and
 “ miskens the samine. It is most just and reasonable, for I will avow to

“ your Ma^{ty}, they have not a write or a warrand under heaven for that
 “ priviledge; therfor justly by your Ma^{ty}s. laues, it apperteans to me, and
 “ in higher measure than the other to my Lord of Glasgow; wherfor it
 “ may please your Ma^{ty}. to renew your royall directions to my Lord Chan-
 “ celour anent the recovery of my right, and that wth diligence, and
 “ peremptorily, for your Ma^{ty}. knowes what his Lordships disposition has
 “ been, and is, toward us and our Estate; and for justifying of your
 “ Ma^{ty}s. proceedings, it may please your Ma^{ty}. to direct my Lord Chan-
 “ celour to command the Magistrates and Council of Saint Andrews to
 “ produce the warrand of their priviledges at the next dyet of their com-
 “ pearance before the Council, and it shall be found they have not so much
 “ as probability of right, whilk is intollerable in your Ma^{ty}s, so just and
 “ majestick government. S^r, wheras they are troublsome, I will be answer-
 “ able to your Ma^{ty}. and counceill for them after that I be possessed of my
 “ right; and as for their further censure, I hope your Ma^{ty}. will use no
 “ less clemency than your Ma^{ty}s. mercifull inclination hath been accus-
 “ tomed wth of before, for I will assure your Ma^{ty}. that before ever these
 “ two men of the guard intimat their commission to the magistrates, the
 “ guilty person was out of their hands and fugitive. S^r, I am not to
 “ defend them, and hope the Lords of Council will make a true relation
 “ to your Ma^{ty}.; but whatsoever our knowen and friendly like foes have in-
 “ formed or shall inform your Ma^{ty}. of us and ours, I hope your Ma^{ty}. will
 “ suspect the same while others more unsuspect clear your Ma^{ty}. of the
 “ verity therof. According to your Ma^{ty}s. direction I have admitted to the
 “ ministry here in Edin^r, Mr. Thomas Sydserf, and have in great solem-
 “ nity taken of him the oath of supremacy to your Ma^{ty}, and of obedience
 “ to me as his ordinary; and I continou in preaching every Sunday before
 “ noon in the High Kirk. I was bold to write to your Ma^{ty}. lately,
 “ anent Thomas Tyrie, whose resort here offended all the godly, and
 “ concerning a Bibliothek to y^e University of Saint Andrews, and my son
 “ in law, your Ma^{ty}s. most affectionat servant, his teaching of the canon law.
 “ Thus the Lord God bless your Ma^{ty}s. royall person and estate for ever.

“ Your Ma^{ty}s. most devoted subject,

“ and servant,

“ Edin^r. June
 “ 9, 1611.”

“ SANCT ANDROIS.”

In the collection of letters which now I have entirely insert in the Archbishops Life, ther follows another without date, but, being immediatly following the former, I shall insert it here. It wants the subscription also, but ther is no doubt of its being Bishop Gladstanes to the King, from the matter of it, and it is probable its date is sometime this year, and soon after the former. I shall insert it here.

Another letter of his without date, probably a little after the former.

“ May it please your most excellent Ma^{ty}, After my returning home
 “ I have had occasion of practising your Ma^{ty}s. royall designment anent the
 “ right of presentation of the Kirks of the erected prelacys by your Ma^{ty},
 “ q^{ch}. is a matter of so great importance, that it cannot be omitted w^out
 “ unspeakable loss to your Ma^{ty}s. authority here. Ane of the kirks of
 “ the priory of Saint Andrews, called the Kirk of the South Ferrie, in this
 “ Presbitry, being propounded to be planted, I urged your Ma^{ty}s. interest
 “ and protested that nothing should proceed in that matter, while your
 “ Highnes should present according to your Ma^{ty}s. royall priviledge,
 “ authorized in Parliat, and conteaned in the severall signatours of the
 “ erected prelacys, (except your Highnes officiers have prevaricated,) but
 “ this intimation hath been litle regarded by the seditious relicts of that
 “ old stamp, q^{ch}. your Ma^{ty}. knowes, and therfor I was bold, this same day
 “ being our presbitry day, to command them to desist, as being your High-
 “ nes Commissioner, like as of old the Pope in the time of his usurpa-
 “ tion, my predecessors wer Legati nati. And because possession is best
 “ here, I have presumed to recomend to your Highnes a young man
 “ for q^m. I will be answerable on my perill; that your Ma^{ty} in signing his
 “ signatour may enter in possession of your Highnes own right of pre-
 “ sentation q^{ch}. is the greatest comfort q^{ch}. we your faithfull servants have,
 “ in this naufrage of the Kirk livings. Thus it may please your Ma^{ty} to
 “ signe the name as I have testified my recommendation and surtyship
 “ for the man, by my humble subscription in the end therof. While
 “ I am thus doing and continouing in my wonted fight, I am avocat by
 “ a letter from the president and clerk of Register, to give off the usage
 “ of my benefice, wth such imputation as I can hardly digest, not in respect
 “ of my person but my place, to the which I the unworthiest of all that
 “ number am provided by your Highnes. S^r, I remember its recorded

P. 40.

“ that in y^e Pharsalick conflict, Cæsar observed that Pompey, by his untim-
 “ ous restraint of his souldiers in the choak of the battail in staying
 “ them of their force and faird, so abated their courage that they wer an
 “ easy prey to the Cæsareans, feuer in number and of less valour; and so
 “ Cæsar said, if Pompeys souldiers had been suffered to go forward w^t their
 “ first impetuosity, they wer unresistable. S^r, at my homecoming I was
 “ doing[?] but chearing up your Ma^{ty}s souldiers to fight manfully both agst the
 “ Papists and the Puritans, and while I am thus doing the matter of rentall
 “ comes in. I protest before God I count more of your Highnes service and
 “ our inresting on the apostolick ancient discipline, than of all the Bishopricks
 “ in Scotland, remembering that the best Bishops have been poor and martyrs,
 “ and yet have mentained under the cross both their religion and authority,
 “ albiet that befell not to them under Constantine your paragon. S^r.
 “ let your Highnes consider, not only, *quid liceat, sed quid expediat*. I
 “ am not excecun myself from tryall, censure, and animadversion, but this
 “ is not the time, and such judges are not honorific to censure your Ma^{ty}s
 “ first estate. And, S^r, let either your Highnes in person, your privy
 “ council, or your high commission, judge us in all causes, but thir com-
 “ missions make such impressions on the peoples hearts of our guiltines,
 “ and vility in your eyes, as has stained us in the sight of our enemies and
 “ of all indifferents, and given to us and our freinds a greater dash. Spe-
 “ cially at such a time as [this] your Highness must give us countenance,
 “ yea, and do, as ye wer wont, to oversee the greatest malefactors in the
 “ borders, qⁿ your Ma^{ty} had service. Thus my humble advice is, that,
 “ since the tryall of the estate of the benefices, not only belonging to
 “ the Bishops but also to the dignities and chapters, is the subject of the
 “ provinciall councill of Saint Andrews and Glasgow, as your Ma^{ty}s own
 “ overture bears, that your Ma^{ty} command us, who are the Archbishops
 “ in these our councils, q^{ch}. your Ma^{ty} remembers wer appointed to be
 “ holden this next spring, should take precise tryalls not only of the
 “ Bishops but also of the whole chapters, and signify them to your Ma^{ty},
 “ or deliver y^m to the councill in a register, as we will be answerable upon
 “ our alledgeance; and withall, that we ourselves shall deliver the rentall
 “ and estate of our benefices in semblable manner clearly for your Ma^{ty} and
 “ Conccills information. And if your Ma^{ty} find that this, q^{ch}. is the ordi-

" nary and just form of enquiry, succeed not, your Highnes knowes to
 " whom to take your self, and upon the ommission and corruption of the
 " Ecclesiasticks your Ma^{ty} may take order by your self, or such honnour-
 " able deputes as to your Highnes shall seem most expedient. As for
 " me, S^r, I have enriched my benefice, for of less than nothing I have
 " made by my travail and expenses an honourable rent, as shall appear
 " to your Ma^{ty} clearly. However, S^r, I must crave prorogation to the
 " end of this Session of my accounts, since I have almost the third of my
 " tenants and tacksmen, under proces of production and reduction, P. 41.
 " wherby for the present I can give no perfect rentall. I beseeke your
 " Ma^{ty} send back wth diligence your Highnes pleasure anent these matters,
 " till the return wherof I think nothing shall be resolved, and all our pur-
 " poses will hing loose. So, humbly submitting all to your Ma^{ty}s wise and
 " just pleasure, I committ your Ma^{ty}s sacred person and estate to Gods
 " eternall blessing, and shall remain,

" Your Ma^{ty}s. &c."

I have but one other letter from Bishop Gladstanes to the King in the collection I have of originals, and cotypes from the originalls. Its dated Agust last, next year; its the only one which Mr. Calderwood hath in printed history, and its not in his MS, probably having come to his hand after he had finished his larger draught of his history. It contains a pretty full view of the schemes laid down by the Bishops before the Parliament, which convened, October this year, cheifly to ratify the actings of the Assembly at Glasgow, and runns thus:

His letter to
 the King, A-
 gust last, 1612.

" Most Gracious Sovereigne,

" As it hath pleased your Ma^{ty} to direct me and my Lord, your
 " Ma^{ty}s Secretary, for advising anent our affairs to be handled in this
 " approaching Parlia^t, so happily did I find him and my Lord of Glas-
 " gow both in this toun, and convened them both immediatly after my
 " arrivall, and with good advisement we have made choice of those things
 " that are most necessary, and have ommitted those articles q^{ch} may seem
 " to cary envy or suspicion, or which your Ma^{ty}, by your royall authority,

“ might perform by your self ; but we all hold fast this conclusion, that it
 “ is most necessary and convenient, both for your Ma^{ty}s. service and well
 “ of the Kirk, that the day, viz., the 12 of October, shall hold precisely,
 “ to which the Parlia^t was proclaimed, the 24 of this instant. I will
 “ assure your Ma^{ty}. that the very evil will which is carryed to my Lord
 “ Chancellor by the nobility and people is like to make us great store of
 “ freindship, for they know him to be our professed enimie, and he dis-
 “ sembleth it not. I thank God, it hath pleased your Ma^{ty}. to make choice
 “ of my Lord Secretary to be our formalist and adviser to our acts, for
 “ we find him wise, fast, and secret ; we will not be idle in the meantime
 “ to prepare such as have vote to incline the right way. All men do
 “ follow us and hunt for our favour, upon the account of your Ma^{ty}s.
 “ favourable reception of me and the Bishop of Caithnes, and sending
 “ for my Lord of Glasgow, and the procurement of this Parlia^t w^out
 “ advice of the Chancelour ; and if your Ma^{ty}. will continou these shining
 “ beams and shewes of your Ma^{ty}s. favour, doubtles the very purpose
 “ y^t seemeth most diffiile will be facilitated to your Ma^{ty}s. great honnour,
 “ and our credite, which [if] it wer greater than it is, your Ma^{ty}. could no
 “ interress. For besides that no estate may say they are your Ma^{ty}s.
 “ creatures, as we may say, so ther is none whose standing is so slippery,
 “ when your Ma^{ty}. shall frown, as we ; for at your Ma^{ty}s. nod, we must
 “ either stand or fall. But we referr the more ample declaration of these
 “ purposes and other points of your Ma^{ty}s. service to the sufficiency of my
 “ Lord of Glasgow, and my good Lord Secretary, the 14th Bishop of this
 “ kingdom. But my Lord of Glasgow and I are contending to which of
 “ the two provinces he shall appertain. Your Ma^{ty}. who is our great
 “ Archbishop, must decide it. Thus, after my most humble and hearty
 “ thanks for your Ma^{ty}s. good acceptance and gracious dispatch lately, q^{ch}.
 “ hath filled the ears of all this kingdom, I beseech God to heap on your
 “ Ma^{ty}. the plenty of spirituall and temporall blessings for ever. I rest,

“ Your Ma^{ty}s. most humble subject

“ and servitour,

“ Edin^{ur}, the last of
 “ August, 1612.”

“ SAINT ANDROIS.”

Mr. Calderwood gives some observations upon this letter which I shall not grudge to transcribe, when once I have noticed that the Primat seems lately to have been at London with the King, and Bishop Spotswood the bearer of the letter, who it seems went up to the King to get the last instructions for managing the Parliament in their ratification of the Acts of Glasgow Assembly. Mr. Calderwood sayes, “ By this letter we may see what preparation was made for the ratification of the Acts of Glasgow at the next Parliament ; how the Bishops as sycophants traduce the Chancelor and would make the King belive he was hated of the people for hating of them ; and how they recommended the secretary Sir Thomas Hamilton, now Lord Binning, formerly Kings Advocat, as a sure and fast freind, and worthy to [be] repnted the 14 Bishop, no doubt because they found him, as forward in their course as any of themselves. He had given a proof of this formerly, when he was Kings Advocat. They seem to contend to which of the two courts of high commission he should belong. They profess no state can say they are the Kings creatures, as they can say ; that they stand and fall at his nod. Judge then what these creatures will do to please their Creator ! We see here what pains is taken to procure votes against the next parliament, and how long before the time they begin to work. If ther be so much knavery in one letter, what shall we judge of the many letters they sent to court from “ time to time ! ”

Mr. Calder-
woods remarks
on this letter.

P. 42.

After the ratification of the Acts of the Assembly at Glasgow by the Parliament, the Bishops had litle more to ask, and I find the Primat dwelling much at Saint Andrews, and for any thing I find he was not much abroad. Very litle further offers to me concerning him till his death ; he presided in the high commission, and some prosecutions wer raised against Papists, but the cheife bussines of that court came to be with ministers and others who refused conformity to prelacy. I have only a hint or two to give about him from Calderwood. In Aprile, 1613, most of the Bishops met at Saint Andrews, save Mr. William Couper and Mr. Andrew Lamb who went to Court : the Bishop of Aberdeen was sick, and the Bishop of the Isles was superannuat. This was a very solemn meeting, as Mr. Calderwood names it, but he does not tell us much done by them. He sayes the Bishop of Saint Andrews enterteaned

Meeting of
the High Com-
mission at
Saint Andrews,
Aprile, 1613.

them in the castle of Saint Andrews, which he had repaired, and where he now dwelt. Before this he had a lodging in the town, and used to ride on a horse with a large foot mantle, to the Kirk, when he preached, and to Church meetings.

Process against Moffat a preist, 1614.

In November, 1614, Mr. Alexander Gladstones, the Bishops son, apprehended one Moffat, a mass preist, at Saint Andrews; he was presented before the councill, December 10, and warded in the castle of Edinburgh. Somthings, sayes Mr. Calderwood, the bishops behoved to do against Papists for honestys sake, least they should seem to be ordeaned only to persecute ministers professing purity of discipline and of God's worship. Moffat was examined [by] the Bishop of Saint Andrews and his associats. Ther was litle done as to him. We shall hear of the process against Ogilby the jesuit on Bishop Spotswoods Life. Moffat was not so violent and positive as he, and so escaped.

Bishop Gladstones death, May 2, 1615.

The Bishop lived not long after this. He seems to have brot on his own death upon himself by indulging his appetite. But I chuse rather to give the account of his death in the words of others. Mr. Calderwood tells us: "Mr. George Gladstones departed this life in the castle of Saint Andrews, the 2d of May. Many times before, because his face was disfigured, he had his night bonnet drawn down to his nose. When the ministers of Saint Andrews enquired if they should pray for him publickly, he answered it was not yet time; so he was never prayed for publickly but the same day he departed, and that was done without his knowledge. He was unwilling to die, or to suffer any honest man in the ministry to come near him, either to awaken his conscience or comfort him. At the desire of his wife and children, he subscribed a few lines wherin he approved the present course to procure the Kings favour to them; his flesh fell of him in lumps. Notwithstanding of the great rent of his Bishoprick, he dyed in the debt of twenty thousand pounds. He was both ambitious and covetous. Papists and hainouse offenders wer winked at for bribes given to his servants and dependars."

Buried, June 7. Mr. Cou-pars funeral sermon.

Mr. Calderwood adds, "He was buried upon the 7th of June, in Saint Andrews. A canoby of black velvet was carried above the coffine by four men, and yet the corps was not in the coffine, but burried soon after his

“ death. Mr. William Coupar made his funerall sermon full of vile flattery
 “ and lyes, and knownen to be so by the people, and therfor he was derided. P. 43.
 “ It was reported that the King bestowed ten thousand merks on his
 “ buriall.”

We have seen that he was married and had children. His son Mr. His marriage
and children.
 Alexander we have heard of, and he was Archdeacon of Saint Andrews,
 but I know no further of him, than what is above, and a hint we shall
 have about him in Bishop Spotswood his successor his Life ; his character
 must be gathered from what is above, and we may see a good deal of his
 temper and methods in his letters. He does not seem to be a person of
 that learning as we are to look for any writings left behind him ; his
 head seems to be turned another way.

I shall end what I can collect about him with his character from His charac-
ter from Bishop
Spotswood.
 Bishop Spotswood, Mr. Archibald Simson, and Mr. Row, who all of
 them knew him personally. If they differ in his character, we must
 allow his successor to speak of him, with some art and reserve. The
 Bishop says : “ In the spring, 1615, Mr. George Gladstanes, Arch-
 “ bishop of Saint Andrews, departed this life, a man of good learning,
 “ ready utterance, and great invention, but an easy nature, and induced
 “ by those he trusted to do many things hurtfull to the See, especially in
 “ leasing the tithes of his benefices, for many ages to come, esteeming
 “ (which is the error of many churchmen,) that by this means he should
 “ purchase the love and freindship of men ; wheras ther is no freindship
 “ sure, but that which is joyned with respect, and to the preserving of
 “ this nothing conduceth more than a wise and prudent administration
 “ of the churches rents wherwith they are intrusted. He left behind him
 “ in writing a declaration of his judgment touching matters then con-
 “ traverted in the Church ; professing that he had accepted the episcopall
 “ function on good warrand, and that his conscience did never accuse
 “ him for any thing done that way. This he did to obviat the rumors,
 “ which he forswaw would be dispersed after his death, either of his
 “ recantation, or of some trouble of spirit that he was cast into ; for these
 “ are the usuall practises of the puritanicall sect, wheras he ended his
 “ dayes most piously, to the great comfort of all the beholders. His
 “ corps was interred in the south east isle of the parish Church, and the

“funerall preach[ed] by Mr. William Couper, minister of Galloway, who
 “was lately before preferred, upon the decease of Mr. Gavin Hamiltoun,
 “Bishop of that See; a man for courage, true kindness, and zeal to the
 “Church, never enough commended.” Bishop Spotswood sayes nothing
 of his predecessors piety, save a word he dropes at his death, and that
 is much otherwise represented, as we see by the writers upon the
 other side. We have seen how Mr. Calderwood narrates Bishop Glad-
 stanes declaration about goverment, and discipline at his death, and
 Bishop Spotswood sayes he gave it to prevent puritanicall misrepresen-
 tations. We shall find upon Mr. Calderwoods Life, and Mr. Lawsons
 and others, that this vile practise of conning recantations, is chargable
 upon the prelatieall side. Who ever takes this unaccountable method,
 ought to be abhorred.

From Mr.
 Archibald Sim-
 son.

I shall next insert the character Mr. Archibald Simson gives of this
 Archbishop in his Annals upon the year 1615. “Georgius Gledstonus,
 “Archiepiscopus Fani-Andree, patre natus, Albertò Gledstonò, scribà
 “curiæ Taoduncensis. In litteris educatus, lauream adeptus, primum
 “montis Rosciæ in Angusia (Latinæ Linguae) professor, post pastoris
 “munus juvenis aggregit uret Sancti Syrisii ecclesiæ præficitur; inde, propter
 “tenuitatem fortunæ, Sanctæ Mariæ ecclesiam occupat, et illinc etiam,
 “inter annos paucos, Kennethi Merniæ transmigrat, post in Kelliam
 “transportandum se curat, amplioris lucri spe; deniq3, in tempestate
 “nostræ ecclesiæ se in sedem Andreanam intrudit, [vivis] duobus ministris,
 “viris doctis et probis, Davide Blackiò et Roberto Wallesiò, plebe
 “invità, et pastorib3 presbiteriis nolentibus. Mox tanta erat viri ambitio,
 “Cathenensem episcopatum ambit, et tandem ad fastigium perveniens,
 “cathedram Andreapolitanam, metropolitanus Scotiæ et primas factus,
 “obtinet. Stulte superbit; ebrius sui que immemor, ad honorum fastigia
 “perveniens, de se jactare solebat, se nulli Scotiæ inter nobiles inferiorem,
 “si nì dialecticâ Bezæ parem. Baccho et tobacco ita noctes diesque indul-
 “gebat, ut suâ dexterâ se jugulaverit; tandem pinguetudine assumptus
 “omnibusq3 corporis partib3 misere consumptis, vernibus scatens,
 “exhalavit mense Juliò (Maiò), cujus putredinem nec ipsius uxor aut liberi
 “ferre poterant, sed eâ ipse nocte sepultus. Moriens dixit Davidi Barcleo,
 “pastori Andreano, Utinam ego grammatices fuisset professor, et

“ nunquam in hanc sedem pervenissem, quæ mihi jam morienti tantas
 “ tamq3 graves molestias peperit. Exequiis dies dictus; ferretro arenâ
 “ pleno veloq3 byssino superlato in terram arenea imago portatur;
 “ Gulielmo Cuperò, ejus laudum preconì, palamq3 omnibus circum-
 “ stantibus tubicen, qui sepulto præcinere solet, inquit, Tu nunquam
 “ in resurrectione resurges,—de arena loquens. De quo,

“ Gladstonus Andreæ fuit Archiepiscopus olim,

“ A milve et saxo qui sibi nomen habet :

“ Saxa premunt, milvusq3 vorat, pia pignora Christi ;

“ Milvum ipsum tandem, se quoq3 saxa premunt.

“ Joannes Spotswodius eum hoc honore insignivit, quod dignus
 “ esset ejus ossa suspenderentur, quod ecclesiæ suæ redditus dilapidâsset.
 “ In ejus sedem succedit Joannes Spotswodius, olim ecclesiæ Glasguensis,
 “ qui ab aulâ rediens, magnâ solemnitate, regiô more, Andreapolin petit,
 “ et a Gulielmô Cuperô, 6tô Augusti, Archiepiscopus declaratur.”

Let me add the character and account Mr. John Row gives of ^{From Rowe's history.}
 Bishop Gladstanes. Mr. Row was minister near Mr. Gladstanes, and
 no doubt had personall acquaintance of him, being near 15 years in the
 same Synod with him. There is some acrimony in Mr. Rows expressions,
 for which I doubt not he thôt he had reason. I give his own words :
 “ In the moneth of May, 1615, Mr. George Gladstanes, Archbishop of
 “ Saint Andrews, departed this life ; he lived a filthy belly god, he dyed
 “ of a filthy and loathsome desease,—σκόληκοβρωτος. In the time of his
 “ sicknes, he desired not any to visit him, or to speak comfortably to him,
 “ neither that they should pray publickly for him, but he left a suppli-
 “ cation behind him to the King, that he might be honourably burried,
 “ that his wife and bairns might be helped, because of his great poverty
 “ and debt at his death. Behold the curse of God on Bishops rents and
 “ revennes! all which was done. Albiet his filthy carrion behaved to be
 “ buried instantly after his death, by reason of the most loathsome case
 “ that it was in, yet the solemnity of the funeralls was made in the
 “ moneth of June following ; the day of his funeral, being a windy and
 “ stormy day, blew away the pall that was caryed above his head, and
 “ marred all the honnours that was carryed about his coffine.

“ The epitaph of Mr. George Gladstanes, who took upon him first

“ to be a Bishop in this their last rising, 1610.

" Here lyes beneath thir laid-stanes,
 " The carcase of Master George Gladstanes,
 " Wherever be his other half,
 " Lo ! here ye's have his epitaph.

" Heavens abject; for he was an earthly beast,
 " Earths burden, for his belly was his god,
 " A Bacchus Bishop, for a fleshly feast,
 " And for religion, but a Romish rod.
 " As false in heart, as fiery in his face,
 " Of civil conversation the shame,
 " And lacked, what he loved, be styled Grace !
 " His life was still repugnant to that name.
 " As by his death his life ye may determine,
 " A lazic life drawes on a lousie death.
 " A fearfull thing, since vile Herodian vermine
 " Did stop that proud presumptuous prelates breath,
 " Yet worst of all in mind to be imprinted,
 " None loved his life, als few his death lamented."

P. 45.

Mr. Row adds, " That he was a wild filthy bellygod is noture
 " to all who knew his evening prayer after supper. ' Lord, keep king
 " ' James, who garrs Gladstanes wamb go farting full to the bed of it.'
 " That perjnred Apostates filthy memory stink rots and perishes."

Epitaphium.

" Restis Hamiltonum necat, ensis ut ante Betonum,
 " Diraq3 Adamsonum sustulit ecce fames.
 " Quid tibi, Gladstoni, quarto tua fata relinquant ?
 " Heredem cum te tres statuere trium.
 " Dira fames, crux prisca, novum nova fata decebunt,
 " Flammæ animam comedant, pinguaq3 colla canes."

Englished thus.

" The bastard Bishop Hamilton was hanged,
 " And Cardinal Beaton stobbed ;

- “ Proud Adamson with famine much,
 “ Of all comfort was robbed.
 “ Gladstanes! thou art fourth; thy destiny
 “ What has it left to thee?
 “ For certainly we’ll serve the heir,
 “ To all the former three.
 “ Famine and gallows are not enough,
 “ Some new wrath waits for thee.
 “ By hellish flames thy soul, by dogs
 “ Fat neck devoured be.”

The writer of the Collections from 1589—1641, gives him this character of the Bishop, and some hints as to his buriall. “ Upon the 2d day of May, Mr. George Gladstanes, Bishop of Saint Andrews, departed this life. Before he was made Archbishop, he was minister of the town of Saint Andrews. He was a man of mean degree, a reasonable good scholar, but meikle given to great feeding and drinking. All the time he was Bishop he did no good to the Kirk; and sundry persons within his diocess, who had committed great crimes, baith of papistry and utherwise, wer overseen for geir-giving to sic as awaited and followed the Bishop, as his servants and dependars. He was eight or nine yeir Bishop; he had to spend in yearly rent and casualty fifteen thousand merks Scots money, and yet when he dyed he was indebted twenty thousand pounds Scots money. Upon the 7th of June, by his son and freinds he was solemnly buried with great pomp and state, with an canopy of black velvet born above the coffine, according to the buriall of a prince; and yet all that pomp was only done for a shew, for the corpse was not in the coffine, being laid in the cird long before, only this form of the buriall was made for gloriosity and schaw.”

From the
 writer of the
 Collections,
 1589—1641.

His son, Doctor Alexander Gladstanes, (and I find no other sons he had,) continued Archdeacon of Saint Andrews, till the great turn of affairs, 1638, when the Presbitry of Saint Andrews, summoned him before them, and passed sentence of deposition. Upon which, the matter coming before the Assembly, they confirmed what the Presbitry had

The Bishop
 son, Mr. Alex-
 ander, his deposi-
 tion and declina-
 ture of the
 Generall As-
 sembly, 1638.
 App. No. 11.

done, upon which he declined their authority and protested. These papers would be too long to insert here, but I have placed them in the App. No. [II.] from the originalls in my hands, viz., the sentence of the Presbitry of Saint Andrews, together with Mr. Gladstanes minutes and summonds and declinature of the Assembly, Oct. and Nov., 1638.

Bishop Gladstanes character from Mr. Martine. His dilapidations.

I shall add here Mr. Martines character of Bishop Gladstanes, in his Reliquiæ D. Andrea, MS. This writer is as freindly to the Bishops as he can, and yet he blames Bishop Gladstanes for delapidations in his 8 [9] Ch. S. 2. "Archbishop Gladstanes wronged the See, and diminished the revenues thereof very considerably. *Primo*, by feuing "out to the Viscount of Dupline, or Earle of Kinnoul, then [thereafter] "Chancelour, twenty chalder of victuall in the few farmes of Kincaple, "for a small reddendo, which the Chancelour sold afterwards to the "Lairds of Dairsy. *2do*, By fewing out to the heretors of Kilrynnie "or [and] Innergelly other five chalder of victuall of their few farm, "and converted to money at . . . per boll, which, [with] some "others of his deeds, wer extremly prejudicial to the See; and his "successor Bishop Spotswood taxes him for this.* "Mr. Martine in his list of the Archbishops gives us this further account of him: "George Gladstanes, Bishop of Caithnes, and minister of Saint Andrews, in An. "1606, was created Archbishop and translated to this See. This year "passed the Act famouse for its title, Anent the restitution of Bishops, "which is misconstrued by some, as if before that the estate of Bishops "had been utterly overthrowen in Scotland. But that was never intended, sayes Spotswood, but only by this Act the temporality of Bishopsricks, which by the Act of annexation, 1587, belonged to the crown, "was restored; for its observable that the same Archbishop was before, "while he was minister at Saint Andrews, [Bishop of Caithnes] yea "and Archbishop at Saint Andrews before the Act, for he sat in the "Parliament that made the Act as such, and therein consented to the "dissolution of the castle of Saint Andrews, a part of the temporality of

* There are considerable discrepancies between the extract here given and the corresponding passage in the Reliquiæ, since printed at St. Andrews. Where these discrepancies do not affect the meaning, no notice has been taken of them—where they do, the correct reading is inserted within brackets. The passage will be found in the Reliquiæ Divi Andrea (1797. 4to.) pp. 250, 251.

“ the Archbishoprick, from the Archbishoprick. After his translation
 “ to this See, followed the second conference at Hampton court; the first
 “ was with the puritanicall ministers in England, this with the Scots.
 “ See Spotswood, p. 497. Archbishop Gladstanes dyed in the spring,
 “ 1615, and was burryed in the parish church of Saint Andrews,
 “ in the communion isle. He was a man learned, eloquent and of
 “ great invention, but, as his successor hath it, of an easy nature and
 “ soon induced to do many things hurtfull to the See. He used
 “ alwise to preside not only at the ordinary meetings of the Presbitry,
 “ but also at the publick giving of degrees in the University of Saint
 “ Andrews, wherof *virtute officii* he was chancelour, if he was on the
 “ place. So great wer his parts, learning and readynes, that in anno
 “ 1605, the plague breaking out in Saint Andrews, its reported that the
 “ rector and all the masters of the colledge in a morning about five of
 “ the clock, somewhat sooner than ordinary time of commencement,
 “ addressed him in his bed, for breaking up teaching and dissolving the
 “ scholars. He bade be ready at the ringing of the bell. Within two or
 “ three hours he appeared in publick, discoursed upon the Theme, *De*
 “ *Fætu Abortivo*, conferred the degrees himself, and so broke up the
 “ University for that time and year. This Archbishop was called and
 “ brôt to Saint Andrews at first from being minister at Ardbirlot, of
 “ purpose to ballance and poize Mr. Andrew Melvil, and to guard the
 “ University and students against his principles, and to force them from
 “ being twanged [tinged] by his seditiouse and turbulent way, and many
 “ a hote bickering was betwixt them hereupon.”

“ APRILE 29, 1730.”

APPENDIX.

LIFE OF JOHN ERSKINE OF DUN.

APPENDIX No. I.*—See page 18.

PROCLAMATION, NOVEMBER PENULT, 1559.

FRANCIS and Marie, King and Queen of Scots, Daulphine and Daulphiness of Viennoys, to our Lovits messengers or sherifs in that part conjunctly and severally specially constitute, greeting. For so much as it [is] understood by the Lords of our privie Councill that be reformed of the suspension of the Queen Dowrier's authority, the samine is, by consent of the Nobility and Barons of our realm, now by God's providence devolved unto them. And their chieff and first charge and study is, and should bee, to advance the glory of God by maintaining and upsetting true preachers of the word, reforming of religion, and subversion of Idolatrie; and there are diverse of the clergy, who have not as yet adioined themselves unto the congregation nor made open testification of their faith and renunciation of Idolatrie. Our will is heerfore, and we charge you straitly and command, that incontinently, these our letters seen, ye pass and in our name and authority command and charge all and sundry of the clergy who have not as yet adioined themselves to the Congregation, as said is, by open proclamation at all places needfull, that they compear before the saids Lords of Connsell in Santandrews the day of , and there give open testification of their conversion with plain confession of their faith and renunciation of all manner of superstition and idolatrie, with certification unto them, if they fail, they shalbe reputed and holden as enemies to God and true religion, and the fruits of their benefices shall be taken away, one part thereof to the true preachers who ministratre truly the word, and the remanent to be applied

* Several passages in this and the next article, which seem to have been carelessly transcribed by Wodrow's amanuensis, have been altered. In these alterations, Petrie's History, (Part II. 215, 216,) the Work to which Wodrow refers in the text, has been followed, but it is probable that the orthography of the original, is by no means accurately preserved.

to the forthsetting of the common well of our realm. The which to do we commit to you conjunctly and severally our full power by these our letters, delivering them by you duly execute and indorsed, again unto the bearer. Given under our signet at Glasgow, the penult day of November, and of our reignes the first and seventeenth years.

No. II.—See page 18.

PROCLAMATION, DECEMBER 14, 1559.

Francis and Marie, by the grace of God, King and Queen of Scots, Daulphin and Dalphiness of Viennois, To our lovets our shirefs in that part conjunctly and severally specially constitute, greeting. For so much as the Lords of our Counsell, understanding the great hurt and iniquity, that in times past hath proceeded to the members of Christs Church, by maintaining and upholding of the Antichrists lawes and his consistory, boasting and fearing the simple and ignorant people with their cursings, gravatures, and such like others their threatnings, whereby they sate on the consciences of men of long time bygone, Ordained that no consistory should be afterward holden, hanted, nor used, having respect that there be enough of civil ordinary Judges, to the which our Lieges may have recourse in all their actions and causes; And not the less the saids Lords are informed that certain wicked persons within the City of Brechin, malevolent members of the said Antichrist, contemptuously disobey the said ordinance, and cease not stil to hold consistory, and execute his pestilent lawes within the said City, in contempt of us and our authority; Our will is therefore and wee charge you straitly, and command, that incontinent these our letters seen yee pass, and in our name and authority command and charge the Commissary and Scribe of Brechin, and all other members of the said consistory, and others our Lieges whatsoever having interest, that none of them take in hand to hold any consistory for administration of the said wicked lawes, or assist thereto in any way from thenceforth under the pain of death, as yee will answer to us thereupon. The which to do we commit to you conjunctly and severally our full power Given under our signet at Dundy, the 14 day of December, and of our reignes the second and eighteen years.

No. III.—See page 26.

The Names of the Noblemen and oȳrs of the Estates conveyen at Perth, oȳr ways called St. Johnston, upon the 28 day of July, 1569.* [Wodrow MSS. Adv. Lib. Folio. xlvi. p. 334, 5.]

James Earl of Morray, Lord Abernethy, Regent.

EARLS.

James Earl of Morton, Lord Dalkeith, Chancellor.

George Earl of Huntley, Lord Gordon and Badzenock.

John Earl of Athole.

David Earl of Crauford.

John Earl of Mar.

Gilbert Earl of Cassills.

Alex^r. Earl of Glencairn.

William Earl of Monteith.

William Master of Marishall.

John Master of Montross.

BISHOPS.

Robert Bishop of Cathness.

Adam Bp. of Orkney.

Alex^r. Bp. of Galloway.

Alex^r. Bp. of Brechin.

John Bishop of Isles.

ABBOTS AND PRIORS.

Robert Commendator of Dumfermling.

Jo. Com^r. of Balmerinoch.

Jo. Com^r. of Coldinghame.

Alexr. Com^r. of Culross,

Walter Abot of

Robert Com^r. of Whythorne.

* This and the following article are not among the MSS. at Glasgow, but have been supplied according to the references inserted within brackets after the titles. Wodrow's transcript of these papers has probably been made from a copy brought down to Scotland. He has corrected a few blunders with his own hand. The transcriber in England seems to have mistaken some Scottish expressions. At the close of a preceding article in the volume is this remark, "This is written by Sir Robert Cotton's transcriber, who never fails to blunder when he copies any paper written & spell'd after the Scots manner."

James Com^r of Pettinween.
John Prior of Portmoad, [Portmoak].

LORDS.

Alexr. Lord Hume.
Patrick Lord Lindsay of Beirs.
Wm. Lord Ruthven.
Laur. Lord Oliphant.
Jo. Lord Glamis.
Patrick Lord Grey.
Ja. Lord Ogilvy.
Rob. Lord Sempill.
John Lord Innermeith.
And. L. Steward of Ochilttrie.
Hugh L. Fraser of Lovat.
Wm. L. Borthwick.
Allan Lord Cathcart.
Hen. Lord Methven.
Pat. M^r of Drummond.
Hen. M^r of Sinclair.

OFFICERS.

Rob. Com^r of St Mary Isle, Treasurer.
Sir William Morray, of Tillibardine Kn^t, Comptrol^r.
William Maithland, yo^r of Lethington, Secretarie.
M^r James M^cGill of [Rankeillour-Nether, Clerk of Register,
Sir John Bellenden of] Auchnoul K^t Justice Clerk.
M^r John Spence of Coudy, and
M^r Robert Crighton of Elwick [Eliock], Advocats to our
Sovereign Lady.

COMMISSIONERS FOR CERTAIN OF THE CHIEF BURROUGHS.

Edinburgh.

James Barron.
Alex^r. Clerk.
Alex^r. Guthrie.

Stirling.

Alex^r. Fforester of Gordon [Garden], Provost.
Robert Fforrester yo^r.
W^m. Norvell.

Perth.

Patrick Morray.

Thomas Monypeny.

Dundee.

Mr. James Hallyburton, Provost.

James Scrimzeour.

James Lovell.

John Ffotheringham.

Aberdeen.

Thomas Minzies of Pitfoddellis.

Mr. Robert Lumsden.

Glasgow.

John Stewart, of Minto K^t, Provost.

James Ffleeming.

S^t Androis.

Peter Lermont of Darzie Kni^t Provost.

Mr. Martine Geddie.

Air.

James Bannatine.

Montross.

John Erskine of Dun Provost.

These above named personages were present at the sd. Convention, with a great number of ancient Barrons, diverse Senators of the Colledge of Justice, and oÿrs learned men of good reputation.

CAL; C : [I. 317.] A Copy.

No. IV.—See page 26.

Instructions to the Right Honourable and our trusty Counciller, Robert, Comendator of Dumfermling, and one of our Sovereigne Lords privy Council, Ambass[a]dor presently directed towards the Queen's Majesty of England, at Kelso, 15 Oct^r 1569. [Wodrow MSS. Adv. Lib. Folio, xlvi. pp. 336—353.]

First. After presenting of our letters, and makeing of our most hearty commendations of humble service to her Highness, ye shall declare, that upon receipt of her Majesty's letter, brought by our servant Alex^r. Hume, wherein her Majesty gave demonstrations of her discontentment and mislikeing of our answers and message sent to her Highness by the said Alex^r, we conveynt the

invested and lawfully possessed with the crown of this kingdom, upon the dimission of the Queen his mother, she being [at] the time of her dimission of perfect age to make the same, and he, according thereto, in possession of the kingdom, received and obeyed by the Estates, as thier only Sovereign, to whom they have given their oath of fidelity, and promised unto him thier due obedience—if they should adjoyn any other person in the authority with him, then should they have violate thier said oath of fidelity given to his Highness, and should offend God against thier own consciences, in diminishing the authority of God's anointed.

Secondly. In the adjoining of any other person in equall authority with his Highness, they should offend against the laws of the realm, he being thier natural and lawfull King, without his own consent, he being now in that age wherein he may give no consent by reason of his minority, nor yet haveing committed any offence, whereupon the subjects may take occasion to make any defection from him.

Thirdly. Albeit it were neither against thier consciences, nor yet against the laws of the realm, yet gif thai should come that far agetwart to fall in conference upon the joyning any in equal authority with his Majesty, the same should be most dangerous for his Highness Estate, whose preservation they ought and must above all things tender. First, because the admission of an equall within an short while might become an superiour; and where in the beginning it were but an equality, within short time it should grow to the King's plain deprivation, which may be collected upon the circumstances of the persons, he being an minor, and not able of himself to obviate the practises that might be enterpris'd against him, and she being a woman, and already come to the perfection of years and judgment, and well enough acquainted with the practises of the world. Also, if she were once joyned with him in equall authority, she might take an husband to herself, who, by order of nature, behoved to be her head, and so have power to command over her, and consequently, from a government of two members, grow to three, her son, her self, and her head, and most probable it is, that two being of age should in ballance weigh down the third, being a minor and a pupill.

Ffourthly. If the subjects of Scotland in the minority of the King thier Sovereign durst presume to so high a point as to joyn one in equall authority with his Highness, in what danger should they themselves, thier lands and goods be, when he came to perfect age? at which time he might justly impute unto them the crime of less majestie, for that, in his minority, they had diminished him of a part of his authoritie, or at least joyn'd one in equall power with him.

Fifthly. As the Government in the self, should be monstrous and strange, so should it be most dangerous for the Common wealth, and woud breed continuall factions, seditions and uproar in the country. For that which the one might establish, the other might undoe; what the one woud punish, the other woud remitt; and what the one woud build, the other woud destroy. In which case, the greatest danger is ay for the minor. And if it be reply'd, that the Governour or Regent for both should give the remission, and administrate the affairs, yet arises the same difficulty, that if the Governour should be taken away by natural death, violent death, or otherwise, the same danger stands in chuseing of the next. Moreover, in case it shall be likewise reply'd, that the authority of the King and Queen shall stand in the administration and power of the Regent, ye may well answer, that if it shall be thought that any power remains now in her person to make, or consent to the makeing, of new of any Regent or Governour, it is very probable thereafter, she being reponit in title of the crown with the King her son, and haveing with time procured to herself a power and faction, she will then as well give the law in the deposing of the Regent or Governour, or, in case of his decease by any of the forenamed accidents, in the entrusting and imputing [inputting] of one of her faction in the charge, as now she may do any thing in the constitution of any new Government.

Sixthly. Albeit, the joyning of one in equal authority with the King were neither against thier consciences and oath given to him, nor expressly against the laws of the realm, nor dangerous for the King's particular estate, or to thier lands and lives, in respect of thier alleagence aucht to the King, yet, in so doing, they should hazard and endanger thier own conscience wilfully to agree with that whilk they know assuredly tends to the overthrow and subversion of the estate of the true religion, publickly professed at this present within the realm of Scotland, and consequently of the tinsell of the lands, lives, and goods of all the professors thereof, the said Queen, our Sovereign's mother, being known adversary and enemy to the same religion, wha has procured hertofore, and by all likelihood will procure, the subversion and overthrow, as well of the state of religion, as of all the professors of the same, as occasion shall be offered, and according to the success of oʒr realms, so that altho' there were no perill to be looked for in matters concerning the State, yet the overthrow of the state of religion is a most just cause to move them to forbear, and refuse to enter into conference upon the said article; ffor, seeing the state of religion is established, and the authority of the Pope or Bishop of Rome, within this realm, abolish'd by authority of Parliament, it should of that certain law, now standing to the surety of all the subjects professing the said religion, make a meer doubt and

uncertainty, when one enemy to the said religion should be plac'd in equall authority with the King, in whose name and authority the law was established; seeing that experience bears witness that she would never agree to the constitution of the said law in her reign, notwithstanding her promises made to that effect.

And as thir considerations, just necessities, and most probable reasons, mov'd the nobility not to condescend to direct any persons to conferr upon the said second article or degree, the same considerations, necessities, and reasons, moves them no ways to agree to any conference, or treaty upon the said third head article, being in the self mair dangerous, and bringing with it less equitie or surety.

In respect whereof, it is no ways needfull to conferr upon the other matters specified after the said three degrees and articles.

But for the Queens Majestys farther satisfaction, and that her Highness may the better understand that, besids the things before rehearsed, there is sufficient causes altogether to refuse the said second and last of the saids three degrees, as things bringing with them instant and irrecoverable danger, ye shall declare to her Majesty, that gif the nobles here, without respect of the forenamed inconveniencies, should agree to any of the two last dangers [degrees] impossible it were to have security upon the performance of any one point of the things to be promised by the said Queen, be reason we have particular experience of her, how facile she may be induc'd to alter or delay the performance of matters promised by her, and namely, in things concerning the state of religion, the establishing thereof [whereof?], as it was publickly and universally profess'd, she promised by publick edict, to her nobility and subjects, at her first returning from ffrance into Scotland, which, nevertheless, she pressed to subvert and utterly overthrow thereafter, sna that the first publick edict made at her arival, and received [renewed?] by promise made at Stirling before her marriage with the King, our Sovereign Lords father, in presence of 22 of the chief nobility, that in the first Parliament she should cause the religion be established, and Papistry, and all things making to the fortification of it, to be abolished, moved her nothing. But when the performance of the said promise was crav'd of her in the Parliament holden in April, 1567, she denyed the makeing thereof. Whereupon two Proclamations set forth and subscrib'd with her own hand, the one at Edinburgh, the other at Dundee, being presented to her as testimonys of her said promise, seeing she could not flatly deny the same, she deferr'd the cravers to another time, and never gave them audience or

access thereafter, but partly deny'd, and partly frustrate the promise, the performance of the same being (as is before writen,) craved in face of Parliament by Sir Walter Ker of Cesford, Sir John Stewart of Traquhair, Sir And. Morray of Balvaird, knights, Mr. George Buchanan, John Row, and George Hay, quhilks were direct from the haill kirk to that effect, and in the mean time of this delay given to the kirk, she had continuall traffique with the Pop's Nuncio lying in France, and from him, in the Pop's name, received money on promise to erect and set vp the Papistical religion, whilk money was tint on the coast of Northumberland, being brought with Yeakslie an Englishman. Next it was notour to all Europe, how in the capitulation, called the Holy League of the Papists, there is an express article to keep no promise made to the professors of the reformed religion, following the example of the decree of the Council of Constance. And the effect of the said article is already come in practise, and has taken effect in ffrance and fflanders, and it is true and well known, that the Queen, our Sovereign's moder, is of this League, and that she sent the Great Seal of this realm with the Bishop of Dumblane, for surety thereof; and the Cardinal of Lorrain, her uncle, whose counsel chiefly she follows, being one of the principal members of the persecution, on the pretence of the same League, it may well enough be considered how great danger were to the professors of the true religion in Scotland, if she should be in equall authority with the King, or be recognized Queen.

For the being of this League and of thir con or being restored in equall or whole authority, the Queens Majesty of England may well understand, how far her Highness might be sufficient warrant that our Queen should keep all things promis'd by her, or how far she, being of the same Holy League, woud think her self obliged to the Queens Majesty of England, that is the first and greatest Princess professing the true Religion, for, the same law that makes it lawfull to keep no faith to the professors thereof, being subjects, will allow that faith should not be kept to Princes, and what ever treatys shall be made on matters of State, the same shall always be broken upon occasion of religion.

It is not unmeet herewithall to the Queens Majesty of England, to remember the mynt the said Queen, our Sovereigns mother, made to the Crown of England, takeing to her the stile, title, and arms thereof, as by money and other monuments may yet be proven.

So that no promise to be made to the Queen of England can be sufficient warrant to the subjects of Scotland for safety of the state, religion, and of their lands, lives and goods, or yet can any promise made to the Queen of England, by the said Queen, our Sovereigns moder, assure the Queen of England of peace

and unity betwixt the two realms, neither shall any benefite that the Queen of England has done, or shall do, to her oblige her heart so far, as pretended injuries and councill of her uncles may inflame her to violate all promises.

Quhairunto this danger is also to be added, seeing that the Queens Majesty of England, (whom God preserve) to be mortal, that at what time God should call her furth of this life to his mercy, then the Queen, our Sovereigns moder, should clam to succeed in her place, and so we should have no other but herself for warrant of the observation of her promises, and thereafter in all appearance should be exponit to the satisfaction of her concealed displeasure, both against the professors of the true Religion, and the maintainers of the King her sons authority.

It may peradventure yet be objected to you, that for all these doubts there is security enough provided by the * * * * sent up by Mr. John Wood, both toward the religion and administration of the affairs, which with the strengths of Scotland ought and might assure the Kings person and all. Ye may reply, that the same can no ways bring any good assurance or certainty of the state and government during the King our Sovereigns minority. For if the Queen his mother should contract, the contract behaved either to be made before her restauration, or after she were restored to the half or whole regimen. If before her restauration, then she cannot do any thing in prejudice of her crown, whilk shall bind her being restored, namely, she being in England, under pretence of quhilk place she may hereafter alleage like compulsion and thralldom for any thing she shall do, as now she alledges for her dimision made at Lochlevin in favours of the King her son.

And it is to be thought, she will not enter in contract as a subject, but clameing the title and as a Queen in all respects; wherethrow, by the acceptance of such a contract, we should approve her title and put the Kings authority and our surety in doubt.

If we should first receive her as Queen before the contract, then who may claim the performance of the contract of hers? subjects may not, neither yet can she enter into a valuable [available?] contract with them, in any thing tending to the abdication of authority, government or jurisdiction from her, quhilk cannot be separate from the crown, she being reigning as Queen, unless she were minor, and by that reason unable to govern.

Furthermore, albeit the contract were valuable [available?] it could never bring surety with it, as may well appear by the reasons above exprimit, and her bypast behaviour. For albeit the Queen of England should enter into the same contract, what surety could the subjects of Scotland have in that behalf? It were too late to make a complaint, when they wanted their heads. The Queen, our

Sovereigns mother, should never acknowledge that the Queen of England had any power over her, but that she might use her subjects as pleased her best, and so arming herself with her own faction, and with the support of strangers, should be open weir, (where practise failed,) repress all that pressit to gainstand her or to show good will to the title and authority of the King her son, namely, when the state of England might be peradventure intricate or assaulted with forreign or intestine weirs, in sic sort that before the Queens Majesty of England might have opportunity to decide the controversies in Scotland, the weakest side should be by force overthrown, and then the remeedy should come too late.

By thir hail reasons, the Queens Majesty of England may well understand how just occasions the Noblemen have had not to condescend to direct any to conferr upon the said last two degrees, in respect whereof and the things that have passed betwixt her Majesty and the Noblemen professing their obedience to the King our Sovereign of before, they doubt not that her Highness will enter into any accord with the said Queen, that may be prejudicial to the King their Sovereign and them.

Gif ye shall be press'd to enter into conference with the Queens Majestie and her council, anent the first of the saids three degrees, proportinghow the Queen, mother to the King our Sovereign, might be induc'd to affirm his Majesties estate, according to the Parliament held while she was in Lochleven, and how her estate for her person, with her suretty and liberty, may be provyded, you shall answer according to our former letter sent to the Queens Majesty with Alexander Home, that if, by her Highness good means, the said affirmation cond be compassed and obtained, the Noblemen will think themselves, beside the other benefices received at her Majesties hand, highly bound to her Highness for the same.

And toward the said Queen, our Sovereigns mother, her estate, for her person, as it cannot apparently end to the weil of either realms, that she [should be] permitted to pass to any other realm, but either to abide in England or come into Scotland, so it is now in the Queen's Majestie of Englands own option, in which of the two the said Queen shall abide. Gif her Majestys mind be that the said Queen, mother to the King our Sovereign, continue in England, as she has done this time bypast, then ye may declare we shall be willing to condescend to any thing towards her estate for her person which this countrey may bear furth, the sustaining of the Kings estate and publick charges, that necessarily must be made in the furth setting of his authority, being respected.

And in case it be resolved it is meetest the said Queen, mother to the King our Sovereign, be returned into Scotland there to abide, then she fund-

and and makand sufficient security, that the estate of the King her son, the goverment established in his name, nor the form of religion universally profest, shall not be mollested, troubled nor innovate be her nor be any others pretending them to be of her faction, during his Majestys minority, the like security shall be made to her.

And quhairas mention is made in the first degree of her liberty, she cumand in Scotland, ye man enquire how far the Queens Majestie of England means that the said liberty shall extend, and in case it be answered that the said liberty must be without conditions, then ye have to declare unto her Majestie the inconveniencies that may apparently come therethrough to the quietness of both the realms, as if she shall joyn in marriage some forraigne prince,—gif she shall joyn in marriage with an enemie to our religion, or at her pleasure depart furth of Scotland to any other nation; in which case her liberty without restraint and condition, may breed and produce irreparable inconveniencies. Gif then, after this far reason'd, or at any time the Queens Majesty or council enter with you upon that which has passit betwixt her Highness and us and others, the Noblemen professing their obedience to the King our Sovereign, sen the Queen his mother enterit the realm of England; ye may declare unto them the very order how things have proceeded sen the beginning of the matter, beginnand upon her Highness first letter sent us of the 8th of June, 1568, quhairin thir words are specially conteint, that the said Queen, our Sovereign Lords mother, for justification of her haill course, was content to committ the hearing and ordering of the same simply to the Queens Majesty of England. Whilks words we then and at all tymes understand as a submission of the matter in contraversion to her Highness, and thereupon we deliberate not to forbear to come in person our selves, as indeed we did, and with us Noblemen and others of meet condition to sic place and tym as her Highness did appoint; and albeit be letters of the Lord Herreis sent to the Bishop of St. Andrews, and fra then dispersit through this realm, we were put in terms of dispair, that her Highness shoud do any thing to our comfort, yet confideing in her gracious, sincere and honourable dealing, and thereunto expresslie provock'd by her Majestys letter favourably sent from the town of Rideing, the 20th day of Sept., wherein her Majesty writes, that gif the Queen, mother to our said Sovereign, shall be found justly to be guilty of the horrible murder of her husband, the King our Sovereign Lords fader, that then indeed it should behoof her Highness to consider otherwise of the said Queens cause then to satisfie her desire in restitution of her to the goverment of this kingdom, upon the receipt of quhilk her Majesties letters, we enterit immediatlie in the realm of England, and according to her Highness appointment came to the city of York, where also the Commissioners for her

Majesty came, as also Commissioners for the said Queen, our Sovereigns moder, were present, and there after the sight and consideration of all parties commissions, commission[er]s as well appointed by the Queens Majesty of England, as the Commissioners of both the contending parties, gave their solem oath to proceed sincerely and uprightly, and that they should not seek any affection, malice, or any other worldly respect, furdur, preferr or advance any thing or matter in the said cause, otherwise than their consciences shoud bear them wittness in, before God, to be honest, godly, reasonable, just and true, nor yet shoud they withdraw, hide or conceal any thing or matter, which was meet or requisite to be opened and declared for the better knowledge of the truth of the said causes in controversy.

Incontinent, in making of this same solemn oath, the Commissioners for the said Queen, our Sovereign Lords moder, seeking means to hold back the knowledge of the truth, indirectly made a protestation, as that she was not subject to any judge on earth, haveing an imperial Crown given her of God, which her protestation was nothing agreeing with what we look'd for by her Highness letter, of the 8th of June, reporting of the said Queens contentation to committ the hearing and ordering of her cause simply to the Queens Majesty of England, which impertinet exception was a likely presumption that she woud never be content that the ground of her action shoud be known or deliberat upon. Notwithstanding the Commissioners on her part present her claim or accusation against us, whereunto we made answer. And at the occasion of some things specified in the said accusation, we proposed certain articles of which we required resolution of the Queens Majesties of Englands commissioners, who, finding the same more weighty than they upon thier ommission might well resolve, they sent for resolution of the same to the Queens Majestie and her council, whereupon first the Laird of Leithington, secretary of our Sovereign Lord, and the clerk register were called to come up to London, and after them we our selves with the remanent Noblemen, and others of the King our Sovereign Lords council that were with us, past with us likewise to the court, where the said Queen, our Sovereign Lords mothers commissioners, pressing the tryal of the said Queens interest, in the murder of the King our Sovereign Lords father, her husband, at last by their earnest and incessant provocation, it behoved us to make an addition to our former answers given at York, wherein we were constrain'd to nominate the said Queen, our Sovereign Lords moder, as guilty of the foreknowledge, council and advice of the horrible murder of the King, our Sovereign Lords, fader,—perswader and demander of the said murder to be done,—maintainer and fortifier of the executors thereof. Having before the ingiving of the said addition, and before we entered farder in the ground

of the matter, made our solemn protestation, that we had no delight to see the said Queen, our Sovereign Lords moder, dishonoured, and that we came not willingly to her accusation of so odious a crime, but we were thereto enforced by her own pressing and our adversaries her commissioners, in whose default her shame should be disclosed, whereby they should press us to come to that answer, which they knew we had just cause to make and would make in the end, and so to produce such evidences as they knew we had, was indirectly to press earnestly her perpetual infamy, whercof, as of before we protested, that they and not we should be esteemed the chief procurers. They seeing us to come to the plain probation of the truth, left of all further debateing of the matter as revock'd by the Queen of whom they had commission, thereby flying the tryal, which of before they constrained us to enter unto, for the probation of that we had alleadged, and then being sharply rebuked by her Majestys commissioners how we durst be so bold to utter any such things, contain'd in the said addition, for our defence, we were constrained either to underly the ignominy or then by the manifestation of the very truth to declare the just grounds of our proceedings. And for that effect we produced certain conjectures, presumptions, likelyhoods and circumstances, whereby we made it to appear that, as James, sometime Earl of Bothwel, was the chief executor of the horrible and unworthy murder, perpetrate upon the person of unquellable the King, our Sovereign Lords fader, and the Queens lawfull husband, so was she of the foreknowledge, council, device, perswader and commander of the said murder to be done, and maintainer and fortifyer of the executors thereof. And, for the certification of the saids articles, we produc'd to the Queens Majestys of Englands commissioners, the names of the estates of this realm convened in the Parliament holden at Edinburgh, in the month of Dec^r, 1567, where our Sovereign Lords coronation and inauguration in his kingdom, was ratified and found good.

Item. We produced 8 letters in french, written by the Queens own hand, and sent to the said James, sometime Earl of Bothwell.

Item. A little contract or obligation, written by the said Queens own hand, promising to marry the said Bothwell.

Item. Another contract, written by the Earl of Huntley's hand, of the date the 5th day of Aprile, 1567.

Item. The Deposition of the persons who were art and part of the murder, and were execute for the same.

Item. The protest [process?] led against them before the Justice and his Deputies, whereupon followed thier execution to death.

Item. The process of Bothwel's pretended cleansing before the Justice.

Item. A process of divorce led betwixt the said James, sometime Earl of

Bothwel, and Dam Jean Gordon his spouse, before the Commissars of Edinburgh for pretended causes of adultery on the said Earl's part.

Item. Another process of Divorce led before Mr. John Manderston, as Judge Delegate under the Arch-bishop of S^t Andrews, alleadged primate and legate.

Item. An Instrument of compulsion, proving the said Mr. John to have been constrained to lead the said process of Divorce.

Item. The process of forfeiture led against the said James, sometime Earl of Bothwel.

Item. An Act before the Lords of Session, where the Queen, after counterfeited ravishing, declared herself to be at liberty.

Item. The said Queens consent given to the saids Lords to subscribe the Band for the promotion of the said James Earl of Bothwel to her marriage.

Item. The protestation made by the Lord Herreis and others the time of the Parliament.

Item. The Act of the Confirmation of the King's authority, and the establishing of the regiment during his highness minority.

Item. The Declaration of Thomas Nelson spoken by his own mouth, and written with his own hand.

Item. The Declaration of Thomas Crawford also spoken by his own mouth, and written with his own hand.

Item. The Declaration of the Earl of Morton how the Letters came to his hands.

Item. The affirmation of the Commissioners, that the Letters were the Queens own hand writing.

The Copies of all such Letters read, conferr'd and consider'd, were delyver'd to Mr. Secretary in whose hands they remain.

After which probation led, the saids Lords Commissioners for the Queens majesty of England allowed of our proceedings, declared that we had done the duty of honest men, and that her highness woud maintain the Kings state and our cause, till she shoud understand the contrary.

And thereupon we returned into Scotland by her Majestys permission and good favour, and since have done nothing which we trust shoud any wise alter her Majesties goodwill and favour towards us, nor yet have we got any knowledge that her Majesty has understood any thing of the said Queen, to the contrary of that which we alleadg'd and prov'd at our being in England, and, if farder proof shall be required, we have sent with you the deposition of Nicolas Howbert alias Paris, a Ffrench man, one that was present at the committing of the said murder, and of late executed to the death for the same.

And now, by her Majesties letter lately past of the 20th day of August, we have understood thir words to our great admiration, that the said Queen, our Sovereigns moder, has of long time remitted to the Queens majesty of England the final order of all causes, and that her highness cannot take it in good part, that dureing the time of the conference we shoud use delay in answering of her majesty, or hast to pursue the saids Queens friends by force. Truly the fault has not stand on our part, why the end of the matter has been so long delayed, and we left nothing undone at our being in England, that might furtheret the same end. And that the said Queen has remitted the final order of her causes to the Queens majesty of England, it is an matter we heard not afore of, but understood the plain contrary, baith at sick times as her Commissioners refused the trial of the matter as revock'd by her, and also by the Queens majesty of Englands letter, brought by our servant Mr. John Wood of the 7th of Aprile last, quhairin her highness declares how the saids Queen and soveraigne Lords mother revocked her Commissioners and dissolved their authority, pretending that she woud be furder advised be her nobility and Counsellors in Scotland, and advertise the Queens majesty of her meaning, whereof her highness had never heard any thing at the writing of the said letter. And so we cannot deliberately conclude what to answer or say farder than we did at our being in England, without first we understood whether the Queen, our Sovereigns moder, had of new authorized any Commissioners, or what the Queens majesty of England has understood of the said Queen, or any in her name, to the contrary of that which we affirmed and produced before our departing from England.

And therefor seeing we are not in mora, nor can do nothing furder untill we first understand what the said Queen has spoken or objected to the contrary of that quhilk we produced, we trust her majesty will no wise proceed to any thing that may turn to the prejudice of the King our soveraign or us, for no fault shall proceed of us to move her Majestie so to do.

And in case the Queen of England affirm, that the said Queen, our soveraigns moder, has of new remitted the final order of her cause to the Queens majesty of England, sen she revocked her Commissioners, and dissolved their authority, then ye have to sollicite and require her highness to give her declarater upon that which has been produced before her highness Commissioners, quhilk necessarily mon be done, before any thing be furder enterit in.

CAL. C: [I. 326.] 'Tis written fair (I persume by a Scots hand), and spell'd exactly after the manner of the Scots at that time.*

* This opinion, probably by the transcriber of the Cottonian MS., as to the spelling is highly improbable, or his transcript is far from accurate.

No. V.*—See page 50.

The Articles and formes of letters concerning provision of parsons to benefices and spirituall promotions, agried vpon be the commissioners of the Kings Mātie and the reformed Kirk of Scotland in their conference had at Leith, in the moneth of Januar, 1571, after the old accompt, but 1572 according to the new.

Apud Leith 16 die mensis Januarij, anno Domini, 1571.

The whilk day my Lord Regents G., with advice of the Lords of secreet counsell in our Sovereigne Lords name and authoritie, gives and grants power and commission to the noble and mightie Lords, James Erle of Mortoun, Lord of Dalkeith, Chancellour of Scotland, William Lord Ruthven, Thesaurer, Adam Bishop of Orkney, Robert Commendator of Dumfermeline, Secretar to our Sovereigne Lord, Mr. James Makgill of Rankellor-nether, Clerk of Register, Sir John Bellenden of Auchnoule, knight, Justice clerk, Mr. William Lundie of that Ilk, Coline Campbell of Glenvrquhy, or any four of them to conveene, advyse, treat, and conclude with the superintendents and ministers in the Kirk, or commissioners authorized be them, anent all maters tending to the ordering and establishing of the policie of the kirk, the sustentation of the ministers and support of the Kings Mātie, and commoner affaires of the realme, to continue in such order as shall be agried vpon whill his Highnesse perfect age, or whill the same be altered and abolished be the three estates in Parliament, promittand to hold firme and stable all and whatsomever the saids commissioners doe and conclude in the premisses, Subscribed be the said Lord Regent, day, year and place forsaide.

Sic subscribitur,

JOHN REGENT.

* The copy of this paper among Wodrow's MSS. in the Library of the University of Glasgow, is so inaccurate that it has been thought better to follow a MS. preserved in the Advocates' Library (Rob. III. 2. 8.) in a closely written folio volume of about 240 leaves, forming No. VIII. of Wodrow's Catalogue. Respecting that MS., Wodrow remarks that it is probably the first Volume of Calderwood's third draught of his History; and "its evident enough that this is an original, for its the same hand with my Lord Polton's 5 volumes and the hand of Mr. Calderwood's amanuensis, as appears by his originall letter," &c.

APUD LEITH, THE 15 DAY OF JANUAR.

The whole brethren conueened in one voyce and mynd give full commission and power to the generous and loving brethren John Areskene of Dun, knight, superintendent of Fife and Stratherne, Mr. John Winrame, Superintendent of Fife and Stratherne, Mr. William Lundie of that Ilk, Mr. Andrew Hay, commissioner of Renfrew, Cliddisdaill and Lennox, Mr. David Lindsey, commissioner of Kyle, Carict and Cuninghame, Mr. Robert Pont, commissioner of Murray, Mr. John Craig, one of the ministers of Edinburgh, and Adam Foullertoun, one of the commissioners for the towne of Edinburgh, or to any four of them to compear before my Lord Regent's G., or so many of the Lords of his G. counsell as he shall appoynt, this instant moneth of Januar, or thereafter to the sixt day of March nextocome, and there in the Kirks name most humblie propone, shew, and declare the articles, heeds, supplications, complaints, delivered to them be the Kirk presentlie assembled, most humblie requeesting for answer therevnto, conferre, reason, and conclude with his G. and counsell forsaied upon such heads and articles as shall be proponed to them be his G. and counsell, conforme to the instructions given to them be the present Assemblie, and to consent to all, and whatsomever shall be traited in the said tyme, tending to the glorie of God, setting foreward the preaching of his word, and maintaining the Kings Mäties authority and commounwelth of the realme, and whatsomever happenith to be concluded on be them in the premisses to report the same to the next Assemblie of the Kirk, firme and stable holding, and for to hold, all and whatsomever the saids brethren, or any four of them in the premisses conclude to be done, &c. Given in the Generall Assemblie, and second session of the same, be the clerk therof, day, year and place forsaied.

AT LEITH, THE 16 DAY OF JANUAR. ANENT THE BISHOPRIKES AND
ARCHBISHOPRIKES.

It is thought goode, in consideration of the present state, that the names and title of Archbishops and Bishops are not to be altered or innovated, nor yet the bounds of the diocies confounded, but to stand and continue in tyme coming as they did before the reformation of religion, at the least to the Kings Mäties majoritie or consent of Parliament.

That persons promoted to Archbishopriks and Bishopriks be (in so farre as may be) endued with qualities specified in the epistles of Paul to Timothy and Titus.

That there be a certane assemblie or chapter of learned ministers annexed to everie metropolitan or cathedrall seat.

To all Archbishopriks or Bishoprikes vacant, or that shall happen to vaikie hereafter, persons qualified to be nominated within the space of year and day after the vacancie, and the persons nominated to be 30 years of age at the least.

The dean, or, failing the dean, the next in dignitie of the chapter during the tyme of the vacance, generall and vse the iurisdiction in spirituals, as the Bishop might have vsed.

All Archbishops and Bishops to be admitted hereafter exerce no further inirisdiction in spirituall function nor the Superintendents have and presentlie exerce, whill the same be agreed vpon. And that all Archbishops and Bishops be subiect to the Kirk and the Generall Assemblie therof *in spiritualibus*, as they are to the King *in temporalibus*, and the advice of the best learned of the chapter, of the number of six at least, in the admission of such as shall have function in the Kirk. As also that it be lawfull to als many others of the chapter as please to be present at the admission, and vote thereanent.

ANENT ABBACIES, PRYORIES AND NUNRIES.

That no disposition or provision shall be made of any abbacies [or priories*] now vacant, or that hereafter shall [happen to] vaikie, nor no letters shall be granted be the Lords of Session, for answering the fruteis of any pairt thereof to any person or use, till first it be considered, what portion of the rents consisteth in kirks and tythes, and what portion in temporall lands, and first of all provision shall be made be advice of the Bishop or Superintendent within whose province the abbacie or pryorie lyeth, how the ministers belonging therto shall be sustained of the frutes belonging to the same kirks, if it be possible, be special assignation of so much yearly stipend as shall be found reasonable, and be appoynted be the Bishop or Superintendant of the province, and such of the Kings Mäties counsell as shall be directed to accord with him thervpon.

As for the remanent profite and title of the benefice, because the possessor of the same must supplie the place of one of the ecclesiasticall estate in parliament, needfull it is that he who shall have the style, title, and place of the abbot, pryor and commendator be weill learned and qualified therfor, and for tryall of his qualification, the Kings Mäties letters commendatorie vnder the signet shall be directed to the Archbishop or Bishop in the province wherin

* The passages within brackets are in Wodrow's MS., but not in the MS. from which it has been considered proper to print. See p. 338, *note*.

the abbacie or priorie lyeth, to try and examine his learning and habilitie, and upon testimoniall of his hability from the ordinar, the person nominated shall compear before the King and his Regent, and give his oath, in forme as the Bishop doth, and then shall the Kings letters and provision vnder his great seal be expedit direct to the ordinar Bishop of the province, or others bruing the dignities or superior office in the seat, to give him collation.

The present convent of any Abbay or Priorie being departed whollie this life, in their places the ministers serving the Kirks of the same Abbey or priorie shall be the chapter or assessors to the commendator in giving of any infestments, taks, rights or dispositions of rents, concerning the living.

That the persons thus provided and admitted commendatars may be promoted as they shall be found worthe to be senators for the spirituall estate in the colledge of justice, or may be employed by the King in the necessar affairs of the common welth, it being first provided that no Kirk belonging to their living be destitute of ministration and the consent and benevolence of the ordinar also obtained therto.

ANENT BENEFICES OF CURE VNDER PRELACIES.

All benefices (vnder prelacies) having cure of soules, which either of old pertained to the Kings owne patronage, or newlie are come in vse, and be parliament ordained to be at his [hieness] patronage, shall so continue, conforme to the acts of parliament, and that the laick patrons alwise bruike and vse their owne rights.

None shall be admitted or received to any benefice with cure but such as are qualified, and shall then enter in the function of the ministrie, als soone as they take vp any frutes of the benefice, and so continue.

None shall be admitted to the office of a minister within the age of twentie three years compleat.

Where personages and vicarages are conjunct, so shall they remaine, and likewise, where they are separated [and conjunct benefices so to continue.]

It shall not be lawfull to any entering in the function of the ministrie to leave that vocation and the place appoynted for his residence above the space of 40 dayes in the year, without a lawfull impediment, and license of the King and ordinar where the benefice lyeth, vnder the paine of deprivation.

All such as are or shall be found worthe or qualified ministers and readers, shall be planted and distributed throughout the whole Realme, and that there be readers speciallie appoynted to everie severall Kirk, where conveniently it may be, which, being found qualified be the Bishop or Superintendent, and entering be the lawfull order of the true reformed Kirk, shall minister the sacrament of

baptisme, and make marriages after the proclamation of banns lawfully and orderlie as effeirs.

All vicarages of or within the yearlie value of fourtie pundis, may be conferred to readers, but if they exceed that rent to be admitted to them that can preach and minister.

Item, lyk as wher the rent of the benefice is small, the stipend must be eeked, so wher the rent of the benefice is greater nor the appoynted stipend of the place, the superplus shall ly and be comptable to the supplie of other rowmes not so plenteous be the ordinar, with the advice of such as the King shall appoynt to accorde thiervpon.

That all commoun kirkes be disponed as benefices to qualified persons.

That none be admitted herafter to plurality of benefices with cure.

The last presentation of the laick patron shall be admitted and preferred.

The Vniversities within which there is [the] exercise of liberall sciences shall bruike the patronage of the kirks and chaplanries annexit to their colledges, presentand qualified persons to the Kirks and bursars within their owne colledge to the chaplanries, wherin if they fail the ordinar shall dispone the same, *jure devoluto*, and, failing the ordinar, the King.

Considering that the purgation and conservation of religion cheifly appertaineth to christian and godlie kings, princes, rulers, and magistrates, and that it is most requisite that the Kirks within this Realm be served with sound religion obedient to the authoritie of the Kings Mâtie, our Sovereigne Lord, it is deliberat, concluded and ordained be my Lord Regents G., in his H. name, with advice of the Lords of his H. privie counsell, and of the commissioners of the Reformed Kirk of Scotland, that everie person who shall intend to be a minister of God's holie word and sacraments, or to bruike any spirituall promotion, or possesse any living whatsoever furth of any benefice or spirituall promotion, shall, in the presence of the Bishop or Superintendent of the diocie where he hath or shall have ecclesiastical living, being title of benefice, stipend, pension or portion, declare his assent, and subscribe all the articles of religion, which onlie concerne the confession of the true christian faith, and the doctrine of the sacraments, contained in the Acts of Parliament holden in the first year of the raigne of our Sovereigne Lord that now is, entitled the confession of the faith and doctrine, beleaved and professed be the Protestants of the Realme of Scotland, exhibited to the estates of the same in Parliament, and be their publike votes authorized as a doctrine founded vpon the infallible word of God, and give their oath for acknowledging, and recognoseing of the Kings Mâtie, and his authoritie, according to the forme presentlie set out, and shall bring from the Bishop or Superintendent a testimoniall [in

write, of sic assent, subscription and oath, and openly on sunday] in tyme of sermon, or publike prayers in the Kirk, (wher be reason of his ecclesiasticall living he ought to attend, or of the frutes wherof he receaveth commoditie,) read both the testimoniall and the confession, and of new make the said oath within the space of a moneth after his admission or promotion to the said ecclesiasticall living or yearlie commoditie; vnder the paine that everie person that shall not doe as is above appoynted within the space forsaid, shall be, *ipso facto*, deprived, and all his ecclesiasticall promotions shall be vacand, as if he wer then naturalie dead, and that all persons to be admitted to prelacies wherby they are to have vote in Parliament, make the said oath in presence of the King, his Regent, or privie counsell within the said space, vnder the paine above-written.

It is deliberated, thought expedient, and commanded, that all Bishops, Superintendents, Preachers, and Ministers of the word of God, shall earnestlie and diligentlie admonish the people within their cures, to continue in their faith and obedience to the Kings Mâtie, our Sovereigne Lord, his Regent, and authoritie, and whosoever hath made defection, or hereafter shall make defection from the same obedience to admonish them, and in case of their wilfulness and obstinacie, to proceed against them be censures of the Kirk to excommunication.

OF PROVESTRIES OF COLLEDGE KIRKS, AND OTHER BENEFICES, VNDER PRELACIES
WHERTO DIVERS KIRKS ARE ANNEXED.

That no disposition or provision be made of any Deanries, Provestries of Colledge Kirks, or other benefices [under prelats] whervnto diverse Kirks are annexed, now vacant, or hereafter shall happen to vaikie, nor that no letters be granted be the Lords of Session for answering the frutes of any part thereof to any person or vse, whill first it be considered what is the rent of the benefice and wherin it consisteth, and that provision be made, how the ministrie of everie one of the severall Kirks shall be sustained of the frutes of the same Kirks, if it be possible, be speciall assignation of so much yearlie stipend as shall be found reasonable, and be appointed by the Bishop or Superintendent of the province, and such of the Kings counsell as shall be directed to accord with him therevpon.

Item, If the living both of the provestrie and prebendaries be founded vpon the frutes of a parish Kirk, the Kirk shall be first provyded of a minister and speciall assignation made for his payment, before the title of the whole be disposed to any one persone.

OF THE DISPOSITION OF PROVESTRIES, PREBENDARIES, COLLEDGE KIRKES, FOUNDED VPON TEMPORALL LANDS OR ANNUELS, AS ALSO OF CHAPLANRIES BEING OF THE LIKE FOUNDATION, FOR SUPPORT OF THE SCHOOLES AND ENCREASSE OF LETTERS.

All provestries and prebendaries in colledge kirks founded vpon temporall lands or annuels, and all chaplanries being of the like foundation, now vacant, or that shall happen hereafter to vaike, shall be given and bestowed by the Kings Mâtie or other lawfull patrons to Bursars and students in Grammar, Art, Theology, the Lawes or Medicine in maner following, that is to say, the certane rentall shall be requyred be the Bishop or Superintendant of everie diocie of all provestries, prebendries, or chaplanries, being within the diocie, and thervpon a booke shall be delivered be them to the Regent, and remaine in the register betwixt and the last day of Merch nexttocome.

Item, all provestries, prebendries, and chaplanries, being of or within the [yearly] rent of twentie merks, shall be given to a bursar in grammar, and of the soume of twentie pundis, or within above twentie merks, to a burser in art, and all of the sowme of threttie pundis, or within above the sowme of twentie pundis, to a bursar in Theology, Lawes, or Medicine.

None shall be admitted a Bursar in grammar, being vnder the age of sevin yeares, nor past the age of fourtene years, and shall bruike the commoditie during the space of sevin years onlie.

None shall be admitted Bursar of Theologie, the Lawes or Medicine, whill he be first past maister [in airt] in one of the Vniversities of this Realme, and shall bruike the commoditie during the space of six years onlie.

None shall be admitted a Bursar in art, vnder the age of fourtene years, and shall bruike the commoditie during the space of fyve years onlie.

All Bursars in Grammar shall be presented to a Grammar Schoole in one of the Vniversities, or other famous schoole in one of the cheife burghes or townes of the Realme.

All Bursars or Students nominated be such provestries, prebendries, and chaplanries within the diocies of Aberdene, Murray, Rosse, Cathness [and] Orkney, shall be presented to studie their Art, Theology, the Lawes or Medicine, within [the Colledge of Aberdeen.

All within the diocesse of Saint Andrews, Dunkell, Dumblain and Brechin, to study Art, Theology, Laws or Medicine, within] one of the Colledges of the Vniversity of St. Andreuis, wher my Lord Regents G. or the patrons shall appoynt.

All within the diocies of Glasgow, Galloway, Argyll or the Iles to studie their Art, Theology, Lawes or Medicine, within the pedagogie of Glasgow.

None shall be admitted to plurality of Provostries, Prebendries and Chaplanries, and wher any Provostrie or Prebendry exceedeth the soume of threttie punds of yearlie rent, it shall be devyded, and so much therof appoynted to the Bursars of Theologie, the Lawes, or Medicine, and the remanent according to the rate and value to another Bursar, and if any past his course in Grammar be desyrous to passe to the Vniversitie and study in Art, Theology, the Lawes, or Medicine, the chaplanrie or prebendry he had before, may be of new conferred to him during his studie in any one of the said sciences, he having alwise new presentation in ordinar forme.

The Bursars nominated shall first be found be the maister or principall of the colledge of such age as is before written, and apt for the study in such facultie as he is ordained to, before he get the Kings or other Patrons gift, and that vpon report and testimoniall from the maister and principall in the colledge according to the forme and order prescribed, and if he continue not at the studie during the tyme and in place appoynted, or otherwise giveth occasion of deprivation, he shall be deprived, and another nominated and provided of new, wherin the Kings Mâtie and other patrons shall alwise have their place and patronage, and the maister shall certifie the causes of deprivation to the patron within a moneth after the same, that the patrons may present within six moneths of new.

GENERALL ARTICLES FOR REFORMATION OF CERTANE ABUSES.

Whatever action and plea is or shall be touching the payment of the thrids, before he that is in possession of the thrids be heard or admitted in processe, he shall be holden to find caution to pay the ministers serving the Kirk or Kirks of the benefice, out of which the same thrids should be payed, of their appoynted stipends, so farre as the thrids extends to during the dependance of the plea.

Item, in farther punishment of the persons now at the horne, or [that?] shall happen to be denounced rebels for non payment of [the] thrids, and to further the recoverie of payment of the same, that the persons given in duely executed and indorsed at the horne be charged to compear before the Regent and Lords of secreet counsell, at a certane day, to answer to such things as shall be requyred of them, and shall be committed to waird whill they have payed the dutie, and obtained themselves relaxed from the horne, and that the solister of the Kirks affaires await diligentlie therevpon, according as he shall receive advisements of the disobedients from the Collectors or otherwise.

Item, that all fawes, rentals, or takse of any spirituall livings or promotions,

to be made after the date of this present Act, in diminution, hurt, or prejudice of the present rentall, shall be in law null and of none avail, and, that the certantie of the present rentall may be knowne, the commissioners of the Kirk have taken in hand to cause the same be drawne in ane authentick forme, betwixt and the last day of Marche nextcome, and a booke of the same to be delivered to remaine with my Lord Regent to the Kings vse, to the effect that more formall resolution may be taken in the nomination and disposition of all benefices.

Item, [that] the Lords of the Session of the spirituall estate under prelacies, that clame the immunitie of payment of their thrids, shall at the least pay the stipend of the ministers serving at their owne Kirks, as the same shall be modified and appoynted be the commissioners from the King, Counsell and Kirk.

Item, it is thought meet that, be an Act and warrant of the secreet counsell, provest and bailifes of all burrowes that have given the gift of their oune annuel be charged to send with their commissioners to parliament their giftes to be seen and considered, the rentals of such things as they have in possession, or can clame by these giftes; to the end that it may be seene that the thing disposed be employed to godlie vses, according to the intention of the givers, and form of the gift.

For support of the poore in a part, that all to be admittit to spirituall promotion, hereafter, to be holden to pay the tenth part of all such portion of their spirituall promotions and livings, as consist in tythes to the poore.

THE MANNER OF CREATING OF A BISHOP.

Trustie and weilbeloved, we greet you weill, Forsameikle as the Bishoprick of S. presently vaiketh be the diceasse of the late incumbent of the same and calling to our remembrance the vertue, learning, goode conversation, and other godly qualities of our trustie and weilbeloved, A. B., preacher of the word of God, we have thought goode be thir our letters to name him and commend him to you to be chosen to the said Bishoprick of S., wherfore we requyre you indilatelie vpon the receipt heirof to proceed to your election, according to the lawes of our realme, and our licence to choose sent to you herewith, and the same election so made to certifie to us vnder your commoun seal. Given vnder our signet, and subscribed be our right trustie cousin, John Earle of Marre, Lord Areskine, Regent to us, our realme and Lieges, at the day of the year of God.

Licence to choose.

Our Sovereigne Lord, with advyce and consent of his right trustie cusine, John Earle of Marr, &c., ordaineth a letter to be made under the great seal, in due forme, directed to the Dean and chapter of the Cathedral Kirk of N., making mention that it is humblie meant to his H. and his said Regent on the part of the saids Dean and chapter, how the Kirk forsaid presentlie vaiketh, and is destituted of a pastor, be the naturall death of the last Bishop therof, and that his H. will grant them licence to choose another Bishop and Pastor; His M^{tie}, favourable enclyning to their desire, hath thought goode to grant the same, requyring the saids Dean and Chapter to choose [such] a Bishop and Pastor of the said Bishoprick that shall be devote to God and to his Highness, and [to?] his Realme profitable and faithfull, and that precepts be directed herevpon in due forme as effeires, Subscribed be the said Regent, at, &c.

The forme of the Edict to conveene the Chapter for Election.

Forsameekle as our Sovereigne Lords letters, vnder his H. great seal, are directed to the Dean and Chapter of the metrapolitan Kirk of G., granting them licence to choose another Archbishop and Pastor, the seat now vacant be the natural death of the last Archbishop therof, requyring them to choose such an Archbishop and Pastor as the same shall be devote to God, and to his H., and [to the] realme profitable and faithfull, and to the effect that the said election may proceed to the pleasure of God, and to the weil of the King, the Kirk, and the Realme, the day of, &c., is appoynted, requyring and charging herefore all the godly ministers within the said diocie, nominated and appointed to present the chapter in the reformed Kirk, that they be present at B., the said day, to doe and performe that which to them in the said election appertaineth, Subscribed be at the day of &c.

The Testimoniall of the Dean and Chapter, returned to the King and to his Regent.

To the right excellent, right high and mightie prince James, be the grace of God King of Scots. Our Sovereigne Lord, your M^{ties} daylie orators and humble subjects, the Dean and Chapter of the Cathedrall Kirk of N. humble reverence and submission, Forsameekle as we, having your H. licence to choose a Bishop and Pastor to the said Kirk now vacant, be [the] decesse of the last incumbent, have tryed and examined the qualification of our weilbeloved brother (N) nominated and recommended be your M^{tie}, whom we have found a personage endued with vertue, learning, and goode conversation, and other goode qualities

and able to discharge the office of a Bishop in the Kirk of God, and therfor have elected him therevnto, humbly craving and requyring your H. to grant your royall assent and approbation to our said election, be your Mâties letters vnder your great seal, in due and competent forme, as effeirs, Given vnder our commoun seal, and subscribed with our hands.

In case the Person nominated be not found qualified;

have tryed and examined the qualification of (N) nominated be your Mâtie and find him not qualified in the whole or part of the qualities requyred in a Bishop, most humblie therfor craving and requyring your Highness that, with all convenient expedition, some other sufficientlie qualified may be of new nominated and recommended to the said Bishoprick, that the Kirk of God be not destituted of a pastor.

The Confirmation, Provision and Royall Assent, vpon the chapters certificat [made] of their election.

Our Sovereigne Lord, with advice and consent of his right trustie cusine, &c.; ordaineth a letter to be made under the great seal in due forme directed to the most reverend father in God and his H. weilbeloved A., be the provision of God Archbishop of S., or to whatsomever other Bishops to whom in this part it appertaineth, make [making?] mention that the seat of (N) latelie vacand be the natural death of the last Bishop thereof, or be forefaultrie, translation, dimission, or deprivation, his H. at the humble petition of the Dean and chapter of the Cathedrall Kirk of (N), be his Mâties letters vnder the great seal hath granted license to them to choose another in Bishop and Pastor of the seat forsaid; the said Dean and Chapter, be vertue of the said licence, have chosen his [highness] weilbeloved A. B. preacher of the Word of God, in Bishop and Pastor to them of the said Kirk, as be their letter made vnder their commoun seal directed to his Highness may plainlie appear; therfor, our said Sovereigne Lord, accepting the said election, hath given his assent therunto, as also his favour, and signifieth the same to the said Archbishop or Bishop be the said letter requyring, and in faith and oath, (wherby they are holden to his Mâtie,) commanding them, to consecrat a Bishop, elected, as said is, in Bishop and pastor of the Kirk forsaid, and to confirme the said election, and all and sundrie other things to doe, belonging to their pastorall office in that part, after the forme of the Lawes of this Realme, with all diligence and favour and effect, Subscribed be the said Lord Regent. At &c.

If he be a Bishop already, and is to be translated, then to use thir words;

And the same A. B. Bishop and Pastor of the Cathedrall Kirk forsaid be translation to confirme.

After this new made Bishop shall compear before the Kings Mâtie and his Regent, and make his oath as followeth :

I A. B., now elected Bishop of S., vtterly testifies and declare in my conscience that your Mâtie is the onlie lawfull and supreme Governour of this Realme, alswell in things temporall, as in the conservation and purgation of religion, and that na forraigne prince, prelat, state, or potentat hath or ought to have any iurisdiction, power, superioritie, preeminencie, or authoritie, ecclesiasticall or spirituall, within this Realme, and therfor I vtterly renounce and forsake all forraigne jurisdictions, powers, superiorities, and authorities and promises, that from this furth I shall and will bear faith and true alledgance to your Mâtie, your heys and lawfull succession, and to my power shall assist and defend all iurisdctions, priviledges, preheminencie and authorities granted and belonging to your highness, your heys and lawfull successors, or united and annexed to your royall crowne, and further I acknowledge and confesse to have and hold the said Bishoprick and possessionns of the same under God only of your Mâtie and Crowne royall of this your Realme, and for the saids possessions I doe my homage presentlie vnto your Mâtie and vnto the same your heys and lawfull successors shall be faithfull and true. So help me God.

Restitution of the Bishops Temporalitie.

Our Sovereigne Lord, with advice of his right trustie cusine, ordaineth a letter to be made vnder the privie seal in due forme, makeing mention that the Bishoprike of (N) vacant be deceasse of the last Bishop therof, the Dean and chapter of the Cathedrall Kirk forsaid, be his H. license sought and obtained, have elected his H. weilbeloved A. B., preacher of the word of God, in their Bishop and Pastor, to which election and person elected his Mâtiches given his Royall assent and favour, and [has] received his fidelity due to his H. for the said Bishoprick, restoring to him the temporality therof be thir presents, and that the saids letters be extended in the best forme, withall clauses needfull with command in the samyue to the Lords of Counsell and Session to grant and give Letters in the four formes at the instance of the said A. B., now elected and admitted and confirmed Bishop of C, to cause him be answered and obeyed of the said temporallitie therof and other frutes and rents of the same, from the feast of D. last by past, in due and competent forme as effeiris, Subscribed be the said Lord Regent.

TOWARDS THE CHAPTERS OF METROPOLITAN AND CATHEDRAL KIRKS.

Because divers of the Deanries and other dignities and benefices, called Chanonries and prebendries, in metrapolitan and Cathedrall Kirks are possessed be persons that have not made profession of the true Religion, nor yet have entered be lawfull order of the true reformed Kirk in the function of the ministrie, and so neither the one nor the other sort is thought meet to have vote in the election of the true Bishop, therfor, in time coming, this order shall be observed as interim alsweill for Bishopricks now vacant, as that hereafter shall happen to vaike, so long as the benefices of the old chapters are not in the possession of the ministers of the Kirk, professors of [the] true Religion, that is to say, so many of the old ordinar chapter as are presentlie lafull ministers, and professors of the said true Religion shall have their owne vote, place and priviledge, and in place of so many of the others present possessors of the benefices of the chapter, now possessed be persons not professing the true Religion, or that have not entered, nor shall not enter, be lafull order of the true reformed Kirk, in the function of the ministrie, shall be nominated als many of the learned and most godlie ministers serving the Kirk within that province.

It is considered that, of the Archbishopricks and Bishopricks within this Realme, tuo, viz., Saint Andreuis and Galloway, had chapters in cloisters, and the chapters of the remanent Kirks were persons in parish kirks, and therfor so long as the benefices of the chapter are not in possession of the ministers of the reformed Kirk, professors of [the] true Religion, which, God willing, with tyme will come to passe (the present possessors departing this mortall life), during their naturall lyfes this order is thought meet for election.

First, for the seat of Saint Andrenis, that so many of the old chapter as live and are ministers, professors of the true Religion, shall still be in the chapter during their naturall lyfes, viz.,

The Bishop of Caithness, commendatar of the pryorie of Saint Andreuis, Dean.

The Pryor of Portmoik.

John Goodefellow, minister at Longforgund.

David Robertson at Rossy.

John Vre, minister at Leuchars.

Peter Ramsey, minister at Dairsie.

Peter Ramsey, minister at Markinche.

Alexander Mure, minister at Gilgour.

Patrik Kinloch, minister at Linlithgow.

John Duncanson, minister at Sterline.

Mr. William Bradfoote, minister at Lathrisk.

Mr. Thomas Biggar, minister at Kinghorne.

The chapter or assembly of the Archbishop of St. Andreuis assessors shall consist in tyme to come, after the death of the present convent of the abbey, in twentie one persons hereafter nominated, which persons shall represent the chapter in election of the Archbishop, and siclyke in tyme coming for election and spirituall affairs, alsweill before as after the death of the convent, without prejudging the old convent during their lifetymes in things temporall.

The Pryor of Saint Andreuis, Dean,	The minister of Dysart,
The Pryor of Portmoik,	The minister of Kirkaldie,
The minister of Edinburgh,	The minister of Kinghorne,
The minister of Leith,	The minister of Dumfermline,
The minister of Linlithgow,	The minister of Aberbrothoke,
The minister of Sterline,	The minister of Perth,
The minister of Dumbarre,	The minister of Calder in Lothian,
The minister of Haddingtoun,	The minister of Fethercairne,
The minister of Carail,	The minister of Duncce,
The minister of Cowper,	The minister of Methven.
The minister of Anstruther,	

That in the seat of the Archbishop of St. Andrewis vnder the Archbishop thir dignities or superior offices in the Kirk be retained, which successivelie having the Kings licence to choose, shall convocate the chapter to that effect.

The Deane who is living is and shall be the Pryor.

The Archdean of St. Andreuis.

The Archdean of Lothian.

The Chancellor who shall be the provest of the Queens colledge besyde Edinburgh.

And in the mean tyme, whill the livings of the said Archdeaconrie and Chancellarie vaik be the death of the present possessors, which are not of the function of the ministrie, the offices shall be served be

Mr. John Winrame, as Archdean of St. Andreuis.

Mr. John Spotsewoode, as Archdean of Lothian.

Mr. David Lindsay, as Chancellor.

Nota, the like order for the Bishoprick of Galloway.

For the seat of Glasgow. The chapter consisteth in threttie two chanonries, or prebendries, founded on distinct and severall benefices, that is to say,

The Personage of Hammiltoun,

The Personage of Kilbryde,

[Chancellour Personage of Campsie,]

[Treasurer] Personage of Carnwath,
 Subdeanrie Personage of Calder and Monkland,
 Archdeanrie Parsonage of Peebles and Manner,
 Archdeanrie of Teviotdaill,
 Personage of Newbottle,
 Personage of Glasgow,
 Personage of Stobo,
 Personage of Guvan,
 Personage of Renfrew,
 Personage of Areskine,
 Subchantrie Personage of D[ur]isdeer,
 Personage of Carstairs,
 Personage of Sanquhare,
 Personage of Eglisheme,
 Personage of Ardros,
 Personage of Kirkmacho,
 Lord Provand,
 Personage of Douglas,
 Personage of Ankrome,
 Personage of Cambuslayng,
 Personage of Carnock,
 Personage of Old Roxburgh,
 Personage of Arskirk,
 Personage of Moffet,
 Personage of Killarne,
 Personage of Eddistoun [Giddistoun,]
 Personage of Bothernock,
 Personage of Torbowton,
 Personage of Lusse.

Of the present possessors of the benefices, onlie six are entered in the function of the ministrie, which shall be of the chapter for [the] election of the Archbishop, and so how soone the remanent present possessors depart this life, the benefices shall alwise be dispoed to qualified persons that shall enter in the function of the ministry, and they be of the chapter, and whill the persons present possessors [do?] not enter.

The names of the six of the chapter that are alreadie ministers.

Mr. John Comlie, minister of Kilbryde.

Mr. Andrew Hay, minister of Renfrew.

Mr. Peter Young.

Mr. James Sterline.

Mr. George Hay.

Mr. John Hammiltoun.

The persones adjoyned.

The minister of Glasgow,

The minister of Dumbartoun,

The minister of Irwine,

The minister of Air,

The minister of Lanerk,

The minister of Hammiltoun,

The minister of Campsie,

The minister of Cammonell,

The minister of Mauchline,

The minister of Uchiltrie,

The minister of Stevinsone,

The minister of Kirkpatrik,

The minister of Peebles,

The minister of Rutherglen,

The minister of Stratoun,

That in the seat of the Archbishoprick of Glasgow vnder the Archbishop, thir dignities as superior offices in the Kirk be retained, which successively haveing the licence to choose shall convocat the chapter to that effect.

The Dean, the Archdean of Tiviotdaill, the Chancellor.

The livings of the dignities and offices are knowne, and after death of the present possessors, persons, qualified ministers, being placed in the livings, shall also discharge the offices, and in the mean tyme in the election of the Archbishop, thir persons shall represent and supplie the same offices ;

Mr. Andrew Hay,

Mr. James Greg, Archdean of Glasgow,

Mr. John Colmelie, Archdean of Tiviotdaill,

Mr. David Weemes, Chancellor,

without prejudice of the present chapter during their lyfetyemes in thingstemporall.

The like order toward the remanent Bishopricks, having benefices appoynted to such as should be of the chapters.

THE FORME OF A LETTER DIRECTED TO THE ORDINAR, OR, THE SEAT VACANT, TO
[THE] DEAN, OR OTHER NIXT CONSTITUTED IN DIGNITIE, OF THE CHAPTER,
IN [THE] FAVOURS OF A PERSON TO BE PROMOVED TO AN ABBACIE OR PRIORIE.

Reverend Father in God, We greet you weill, Forsameekle as the Abbacy or Priorie of A presently vaiketh, by [the] deceass of the late incumbent of the

same, and having already made provision how the ministers of the kirks of the same should be sustained, we have thought convenient to name and commend our weil beloved clerk B. C. to the Commendatorie of the said Abbacy or Pryorie of A., and seing the possessor of the same is to represent the persone of one of the ecclesiastical estate in our Parliament, needfull it is that he be sufficientlie qualified; Wherefor we requyre and pray you, indilatelie vpon the receipt heirof, to try and examine his learning and ability, certifying us of the same be your testimoniall, that thervpon we may provyde him of the said Abbey or Pryorie as effeirs. Given vnder our signet, and subscribed, &c.

THE TESTIMONIAL OF THE ORDINAR RETURNED TO THE KING'S MAJESTIE, OR
HIS REGENT.

To the Right Excellent, &c., [We] your Mäties humble oratours reverence and submission, Forsameekle as having tryed and examined the qualification of our weil beloved A. B., nominated and recommended be your Mätie to the Commendatarie of the Abbey and Pryorie of A., we have found him of a sufficient learning and abilitie, which we declare and signifie to your Highness, be thir presents, subscribed with our hands, and vnder our seal, at
the day of the year, &c.

In case the person nominated be not [found] qualified:

Have tryed and examined, and have not found him qualified in whole or in part in the qualities requyred, most humble, therfor, craving and requyring your H., that with all convenient expedition, some other sufficientlie qualified may be of new nominated and recommended to the said Abbey or Pryorie.

THE GIFT AND PROVISION VPON THE ORDINAR'S CERTIFICAT.

Our Sovereigne Lord, with advice and consent, &c., ordaines a letter to be made vnder the Great Seal, in due forme, direct to the Reverend Father in God, A., Archbishop or Bishop of B., making mention that the Abbacie or Pryorie of C. presentlie vaiketh be the [natural] death of the last Abbot, Prior, or Commendatar therof, or be the forefaultour, translation, dimission, or deprivation, his H. hath nominated and recommended his weilbeloved D. E. to the Commendatarie of the said Abbey or Pryorie of C., who be his ordinar is found of sufficient learning and abilitie therfor, and also hath given the confession of his faith, his oath for acknowledging and recognoscng his H. authority, and due obedience of his ordinar, in accustomed forme, and therfor giving, granting, and disposing be the said letter to the said D. E., the said Abbacie, Pryorie of, &c., with all dignities, rights, rents, patrimonie, priviledges

and possessions whatsoever, belonging therto, and making and constituting him Commendatar therof, during his lyfthyme, to be bruiked and joyced be him als freelic, as any other bruiked and possessed the same in time bygane, but any revocation, requyring the said reverend father to make the said D. E., now nominated and admitted Commendatar of the said Abbacie or Pryorie, sure of having institution and possession of the same, and all and sundrie other things to doe concerning his pastorall office in this part, in all diligence, favour and effect, and that the said letters be extended in the best forme, with all clauses needfull, with command in the samyne to the Lords of Counsell and Session, to grant and give letters for answering and obeying of the said D. E., now Commendatar of the said Abbey or Pryorie of the rents, frutes, profitcs, emoluments, and duties therof, during his lyfthyme, and to none others. Subscribed, &c.

THE FORME OF A LETTER DIRECTED TO THE MAISTER OF THE GRAMMAR SCHOOLE,
IN FAVOUR OF A BURSAR STUDENT IN GRAMMAR.

Trustie and welbeloved, We greet you weil, Forsameekle as the prebendarie or chaplanrie of A., lying in the diocie of B., now vaiketh be [the] deceasse of vmqle C. D., last possessor of the same, the yearlie rent wherof is thought not to exceed the sowme of twentie marks, and we willing to conferre the same to a Bursar in support of his sustentation at the schoole, for the encrease and furtherance of goodlie [godlie?] letters, be thir our letters nominat and present our lovit, &c., requyring you to try and examine if he be past the age of sevin, and within the age of fourtene years, if he be apt to studie in grammar, and will promise to continue his studie vnder you, and be subiect to your discipline, as also enqyre wher the Chaplanrie or Prebendrie lyeth, what is the certane rent therof, that vpon your report, to be returned to us within the space of a moneth after the date hereof, we may resolve in the disposition of the said prebendrie or chaplanrie, as effeirs.

THE ANSWER OF THE MAISTER OF THE GRAMMAR SCHOOLE.

To the Right Excellent, &c., Your H. humble subiect A. B., maister of the Grammar Schoole of C., humble reverence and submission. According to the command of your Mâties letters having taken tryall I found D. E. nominated and commended be your H. to the prebendrie or chaplanrie of A. past the aige of sevin and within the age of 14 years, apt and disposed to studie in grammar, wherin he hath promised to continue and be subiect to my discipline; having also enqyred, I find that the said prebendrie or chaplanrie lyeth within the diocie of _____ and extendeth to _____ of yearlie rent. Subscribed

with my hand vnder my at the day of
the year, &c.

THE GIFT AND PROVISION VPON THE CERTIFICAT OF THE MAISTER OF THE GRAMMAR SCHOOLE.

Our Sovereigne Lord, with advyce, &c., ordaineth a letter to be made vnder the privie seale in due forme, making mention that the prebendrie or chaplanrie of A. lying within the diocie of B. vacaut be [the] deceasse of vmqth. B. C., last possessor therof, his M^{tie} hath vnderstood the yearlie rent therof not to exceed the sowme of twentie merks money of this Realme, and being certified that his lovit N. A. is of convenient age to enter in the study of grammar, and is apt and disposed therfor, and promiseth to be subiect to discipline and continue therein; Therfor, giving, granting, and disposing, be the said letters, to the said N. A., all and whole the said prebendrie or chaplanrie of A. with all frutes, rents, profites, emoluments and duties belonging therto in support of his sustentation at the schoole during the space of years after the date hereof, with power to him be himself, his parents and factors in his name, to intromet and take vp the frutes, rents and emoluments, profites, and duties of the said prebendrie or chaplanrie during the said space, to the effect above written, with all and sundrie commodities als freely, &c., as any other had and bruike the same of before, but any revocation, &c., and that the said letters be extended in the best forme with all clauses needfull, with command in the same to the Lords of Counsell and Session to grant and give letters in the four formes for answering and obeying of the said N. A. of the frutes, rents, profites, emoluments, and duties of the said prebendrie or chaplanrie during the space above specified, commanding also the Maister of the Grammar Schoole of M. to receave the said N. A. vnder his cure and discipline be the space abovespecified, and at the end of the same, or incase of his deprivation or not continuance in study, to certifie the same that another may be provided to the said prebendrie or chaplanrie of new. Subscribed,

For a Bursar in Art the like formes, changing the termes of quantitie of presentation of the Rent.

Trustie and weilbeloved, &c., to the principall and maisters of the colledge of, &c.

For a Bursar Student in Theologie the like forme, changing termes in tyme, quantitie of Rent, and other words needfull.

Nota. The Bursars in Art, Theologie, the Lawes, or Medicine, must give the Confession of their faith and an oath for acknowledging the Kings authoritie.

THE FORME OF THE OATH TO BE GIVEN BE THE PERSON PROVIDED TO ANY BENEFICE WITH CURE, THE TIME OF HIS ADMISSION BE THE ORDINAR, AS ALSO THE BURSARS OF ART, THEOLOGIE, THE LAWES OR MEDICINE, THE TYME OF THEIR RECEIPT IN THE VNIVERSITIES.

I, A. B. now nominated and admitted to the C. of D., vtterlie testifie and declare in my conscience that the right excellent, right high and mightie prince James the sixt, be the grace of God King of Scots, is the onlie lawfull supream governour in this Realme, alsweill in things temporall as in conservation and purgation of Religion, and that no forraigne Prince, Prelate, State, or Potentat hath or ought to have any iurisdiction, power, superioritie, preheminence or authoritie, ecclesiasticall or spirituall, within this Realme, and therfor I vtterlie renounce and forsake all forraigne iurisdiction, powers, superiorities and authorities, and promise that from this furth I shall and will bear faith and true alledgance to his H., his heyres and lawfull successors, and to my power shall assist and defend all jurisdictions, priuiledges, preheminencie and authorities granted and belonging to his highnesse, his heyres and lawfull successors, or united and annexed to his royall crowne, and farther I acknowledge and confesse to have and hold the said C. and possessions of the same, vnder God, onlie of his M^{tie} and crowne royall of this Realme, and for the said possessionis I doe homage presentlie vnto his H. in your presence, and to his M^{tie}, his heyres and lawfull successors shall be faithfull and true, so God help me.

If at the presentation the benefice be of a laick patron, at the giving of the oath the person presented shall say, I acknowledge and confesse to have and hold the said C., and possessions of the same, vnder God, be his M^{tie} of G. F. lawfull patron of the same.

In benefices of cure, the persons admitted shall promise obedience to the ordinar, and in schooles or vniversities to the maister or principall therof.

Forsameekle as the heads and articles now talked of and put in such forme as is contained in this booke can not have full effect and execution as lawes, nor no laick patron vnwilling can be compelled therhy, whill the same be allowed and enacted in Parliament; neverthelesse it is thought and meant be my Lord Regents G. that in such things as he shall happen to passe in the Kings M^{ties} name, and the Bishops, Superintendents and Maisters of colledges and schooles in their admission, and the Lords of Session in granting of letters, shall have respect to the keeping and observation of the order now condescended vpon, as if it wer established be law, and that laick patrons be perswadit to the observation of the same order, whilk is ordained to have the strength of an Act of the

secreet counsell, and that exact labour shall be taken to get this order allowed, confirmed, and established as law be Parliament, and for that effect that the formes of signatures and letters be kept vnaltered, and a register to be kept be the clerk of secreet counsell of all signatures and other grants of any spiritnall promotions or maters concerning the same and the seales to answer no signature or letter unregistred and subserived [on the back be the said clerk, and in case any letter be past negligently,] the hands of the Regent different from their [thir?] formes, that the clerk stay the same unregistrat, whill the mater be opened to the Regent, and his mynd certainlie vnderstoode and no letters to passe with blanks, and no double giftes to be registrat without the Regents mynd first knowne.

Which articles and formes withinwritten, being seene and considered be my Lord Regents G., he in our Sovereigne Lords name alloweth and approveth the same. At Leith, the first day of Februar, the year of God 1571, bnt 1572 according to the new accompt.

No. VI.—See page 65.

THE ASSEMBLY'S JUDGMENT, 1578, ON THE CONFERENCE UPON THE SECOND BOOK OF DISCIPLINE.

CHAP. I.

The 18 article thereof touching conference was desired to be made plain: the Assembly thinks it sensible enough.

CHAP. II.

The third article agreed, conform to the conference.

CHAP. III.

The seventh article to be farther considered; the tenth article thought plain in itself.

As to the twelve article agreed to be framed, conform to the conference.

Tuiching the advice craved, what pain shall be put to the nonresidents, the Assembly thought meet that civil law be craved decerning the benefices to be vacant through non residence.

The ninth article agreed, conform to the conference, and the penalty of the persons excommunicat decerned to be horning and caption be speciall Act of

Parliament, to be execute be the treasurer or other the Kings Majesty and his hieness counsell please to appoint.

CAP. V.

Agreed, with the two supplications desired.

CAP. VI.

The perpetuity of the persons of the elders agreed, conform, &c. Anent order to be tane for visitation of colledges, schooles, and hospitalls and the saids articles, with other articles to be given in be the brethren to be seen and corrected be David Ferguson, Mr. Andrew Hay, and the commissioners of Kyle, Carict, and Cunnighame.

No. VII.—See page 65.

MINUTS OF THE CONFERENCE ON THE DISCIPLINE, DEC^r, 1578.

[COMMISSIONERS.]

The Earle of Buchan,	Mr. George Buchanan,
The Archbishop of St. Andrews,	Mr. Peter Young,
The Archbishop of Glasgow,	Mr. Robert Pont minister,
The Commendator of Dumfermline,	Mr. James Lowson minister,
The Laird of Dun,	Mr. John Row minister,
The Laird of Segie	Mr. David Lindsay minister,
The Tutor of Pitcurr,	

Who, after invocation of the name of God, chused the Laird of Dun moderator, for the better order and reasoning during the said conference, and appointed the hour of convention to be at 9 hours before noon, and to reason till 12, and from two hours afternoon till five hours at even.

Afternoon.

The Commissioners desired ane Act to be made that they convey only at the Kings Majesties requisition, be severall missives to every one of them, to treat, conferr, and reason upon the heads of policy of the Kirk, presented to his hieness be the Commissioners thereof, at the day of
And the said ministers protested that they came not as having any commission of the Kirk, but only as his Majesties missives request.

Afternoon.

OF THE FIRST CHAPTER.

1. Entering in reasoning and conference the said Commissioners agreed in one voice unto the first two sentences or heads, as they are written word be word in the said book of policy presented to the Kings Majestie.

2. The third sentence or article was be one consent remitted to the morn to receive further reasoning, and the doctors with their ancient widders ordained to be brought, the best could informe in that purpose.

Afternoon, Tuesday the 23 of December, 1578.

All the Commissioners conveened, and invocation of God's name being made, the said sentence was agreed be the whole Commissioners, to wit, that the Kirk is sometimes taken for them that exercise the spirituall function in particular congregations.

3. To consider how this third article should be understood; whether of the particular Presbtry or of the general Kirk.

4. The fourth article bearing this power is thought good to be continued to further reasoning and explanation, and where it is said, *this power floweth from God to his Kirk*, whether this should be understood of the whole Kirk, or of the office bearers, or whether it floweth mediately or immediatly.

5. Referred to further reasoning.

6. In the sixth article thir words, *the former is called potestas ordinis commonly, and the other potestas jurisdictionis*, are thought not necessar and therefore to be delated.

9. In this article thir words would be left out, *ecclesiasticall floweth immediatly from God, and from the mediator Jesus Christ*, and say instead thereof, *for this power is spirituall not having, &c.*

10. 11. The tenth and eleventh agreed unto.

12. The twelveth article agreed to, eeking thir words, *they shall not be called Lords over their flocks.*

13. Agreed, only changing thir words *ecclesiasticall government*, instead whereof to say *ecclesiasticall discipline according to the word of God.*

14. Referred to farther reasoning when the order of Bishops shall be disscussed.

Afternoon, the 24 of December, 1578.

All the forenamed Commissioners conveened and God's name was called upon.

15. Lettin stand over whill they come to distribution of the power.
16. Agreed, as it is conceived in the Book.
17. Deferr this to be reasoned with the 15.
18. 19. Referr thir twa.

Afternoon the prayer being said.

20. Agreed that the magistrat neither ought to preach, minister the sacraments, nor execute the censures (which is to be understood of excommunication) of the Kirk, and refers the second part of this answer to farther reasoning, and agreed that the minister, as minister, exercise not civil jurisdiction in respect of his ministrie, and refers the last part. 21, 22 both referred.

CHAP. II.

Afternoon, the 24 of December, 1578.

All the forsaid Commissioners convened and prayer said :

1. The name of *Kirk* in this article is taken in the first signification, to wit, for *whole Kirk*. Agreed with the rest of the article.
2. 3. Referred thir two. 4, 5 agreed to both.
6. Referred to reasoning at the head of the visters. 7. 8. 9. 10. Referred.

CHAP. III.

1. 2. 3. 4. 5. 6. Agreed to. 7. Referred.

Afternoon the 25 of December.

All the saids Commissioners convened, and God's name was invocat.

8. Agreed with the generality hereof.
9. Agreed with this addition at the end of the article, *If the people have a lawfull cause against his lyfe and manners.*

10. A supplication be formed and given to the Kings Majestie and the estates in the next Parliament concerning the ministers that travell at Kirks, where the benefice thereof may vaik, by decease of old possessors, that in that case the patrons may prefer the ministers that serve there to all others for that tyme allenarly.

11. Agreed eeking after this word, *Kirk*, thir words, to *travell in the spiritual function thereof.*

12. Agreed, leaving out thir words, *of the eldership.*

13. 14. 15. 16. Agreed.

17. Agreed that all ministers of the word and sacrament shall make residence.

[CHAP. IV. 2]

2. 3. 4. 5. Agreed.

6. Referred to afternoon.

7. 8. Agreed.

9. Agreed, [?] thir words, *to pray for the prince and the people.*

10. Agreed.

11. Agreed that the minister who is the mouth of God may pronounce the sentence of excommunication, after lawfull proceeding.

12. Agreed with the present order concerning marriage after lawfull proceeding.

13. Agreed.

Afternoon.

CHAP. V.

Referrs the whole chapter till further reasoning.

CHAP. VI.

1. 2. Past over.

3. Agreed upon, the name of elders to be joyned with ministers.

4. 5. Referred the perpetuity of elders to further deliberation.

6. 7. Referred.

8. Agreed.

9. 10. Referred.

11. 12. 14. 15. 16. 17. 18. Agreed.

CHAP. VII.

1. Agreed that the ministers and elders of every particular Kirk shall have a power of every spirituall thing within their own jurisdiction concerning the laws.

2. Agreed that there shall be particular assemblies of Kirks, synodall in provinces, and national, which we call generall, within this realme, which we crave to be made a law and erected [enacted?] in Parliament.

Afternoon, the 26 of December, 1578.

All the saids Commissioners conveened and the prayer made:

3. Agreed that in provinciall or synodall assemblies he that bears the charge of the visitation of the Kirks of that province, together with the pastors and doctors of the same province, and some of the elders of every particular congregation within the same bounds, being authorized be commission of their congregations, shall resort to the said provinciall assemblies of which persons it

consisteth, and their assemblies to be twice in the year at the least, and oftener as occasion craves and also their assembly to have liberty to appoint tymes and places as they shall think expedient, and that the General Assemblies may be once in the year or oft, as necessity requires, and the Kings Majesties authority to be craved to be interponed hereunto in Parliament.

And the vister of every province, with the ministers and two elders thereof, and a commissioner of every burgh of the said province chosen be Synodall Assembly of the samine, shall come to the said Generall Assembly, not secluding therfra other noble and godlie men, that please to come therto provyding that they shall not have liberty to vote, above the number of 15, with the Kings Majesties Commissioners, if it please his hieness to send any thither.

And that no sentence of excommunication be pronounced be no particular Kirk or minister, but be consent of him that bears the charge of the visitation within the bounds thereof, and be the advyce of six pastors joyned to the visitor in the provinciall Assembly of the countrey, and the six to be chosen by the provinciall Assembly to be assessors to the said visitor, and this order to be observed also in all other matters.

4. Agreed that in all Generall Assemblies a Moderator be chosen.

5. Agreed.

6. Referred.

7. Differed to the head of Reformation of Bishops.

8. Agreed.

9. 10. Agreed, joyning in the end of the article thir word, *in spirituall things only*.

11. Agreed that as they have power to make laws according to the word of God in spirituall things, so as the necessity of tyme requires, they may alter and change the samen according to the word of God.

The 27th of December, 1578.

All the Commissioners were present, and the name of God was called upon.

12. 13. 14. 15. 16. 17. 18. 19. 20. 21. 22. 23. Referred.

24. An article to be found for ministers, who, through age and sickness or other accidents, are become unable to do their office, in the which case that such be provided for during their lifetime, notwithstanding the said impediments.

25. 26. 27. 28. Referred.

29. Agreed upon, that the provinciall assembly hath this power, for such as shall be agreed upon in the article of deposition.

That within the article of deposition a supplication be given in to the Kings Majesty and estates, desiring a law to be made that the person deposed

if he be a beneficed man, the benefice shall vaie, and another be placed in his room.

30. Past over.

31. Answered before.

32. Agreed.

33. Differred to the head of Bishops.

34. Differred.

35. Agreed, that the Assembly should take head that the spiritual jurisdiction medle not with civil matters.

36. Referred. 37, agreed in spirituall matters. 38, 39 referred.

CHAP. VIII. and IX.

Concerning thir chapters of the diaconat and the patrimony of the Kirk is thought good to be suspended till the head of the corruption be reasoned.

CHAP. X.

The whole chapter is thought good.

That ane article be formed and given to the Kings Majestie and estates, craving ane Act to be made that a speciall punishment be ordained for such as put violent hands on ministers of the word of God, and also crave such immunities and priviledges, as shall be thought meet be such as shall penne the same.

CHAP. XI.

1. Agreed.

2. Agreed that a supplication be formed, and given to the Kings Majesty and estates, craving dissolution of Kirks, benefices, prelacies and others which are unit, and given to one person, and the severall Kirks to be given to qualified ministers, at least after the decease of the present possessors.

4. 5. 6. Past over.

7. Answered be the article of dissolution.

8. Agreed, that ane Act shall be sought that no united benefice be disposed to any person after the decease of the present possessors, but particular Kirks thereof to be provided to ministers and pastors, as said is.

9. Differred.

10. Agreed.

11. Differred.

12. Agreed and thought reasonable that every Bishop have his particular flock.

13. Agreed, and ane article to be given in to the Parliament, that the dioceses

be divided in such sort as men may reasonably visie, and that they have no further bounds nor they may over see.

The 28 of December, 1578.

All the Commissioners being present and the prayer said :

14. Anent the perpetuity of the visters, it is referred to farther reasoning and conference, that good resolution may be taken therein.

15. Past over.

16. Agreed.

17. Agreed that Bishops shall have a certain flock.

18. 19. Past over.

20. Agreed.

21. Referred.

22. Agreed.

23. Agreed.

24. Agreed that article be made that no present possessors of benefice, as well prelates as others, or that shall come hereafter, shall hurt or diminish the patrimony of the said benefices.

25. Finds good that the Kirk advise what matters now handled be the Commissioners are meet and expedient to be traied and handled before them.

26. Answered before.

CHAP. XII.

1. 2. 3. 4. Agreed, and ane article to be given in thereupon.

5. Agreed.

The 29 of December, 1578.

6. Differred the joyning of the Kirks.

7. Agreed as a dependant upon the former.

8. Past before in the matter of the provincially assemblies.

9. Agreed as before.

10. Agreed to this generall.

11. 12. 13. Referred the article of the patronage.

14. Agreed that ane Act of Parliament concerning the disposition of prebendries, prebendries and chaplanries may be reformed conform to the article to be given thereupon.

15. 16. 17. 18. 19. 20. Referred to the head of the Diaconat and to the provision to be made for the poor.

21. Agreed, conform to the laws.

22. Referred.

To penne an article of non-residence.

That ane article be given in, craving a civill punishment may be had against them that admitt ane unqualified person to the office of the ministry of the word, and of them that make simoniacall paction, being convicted by the Generall Assembly, and that this Act strike not only upon him that beareth the charge of the diocie but upon his assessors, so many as consent to the samen.

It is thought meet be supplication to the Kings Majestie and estates, it shall be craved that addition be made to the Act of Parliament confirming laick patronages, that the said Act be extended as well to the patronage of the Kings Majestie as others. Agreed that ane article be formed and given in Parliament concerning the Kirks liberty to the thirds. Agreed that the presentations be direct according to the Act of Parliament standing thereupon.

And that ane article be formed and given in to the Kings Majestie and estates in the next Parliament, and that provision be made for visiters till farther order be tane.

Referrs the penning of the articles and other things agreed in this conference, or that may be found profitable to the Kirk, specially the cause of deprivation to the Lord Dumfermling, the Laird of Segie, Mr. Robert Pont, Mr. James Lowson, Alex. Hay, Mr. David Lindsay, to put them in such form as they may be given in and past in the next Parliament.

No. VIII.—See page 66.

THE ASSEMBLIE'S JUDGMENT ON THE CONFERENCE.

1. The fourth article is thought plain enough.
2. Agreed to the dilation contained in the sixth article.
3. The ninth article the assembly thinks to stand as it is in the book.
12. And the twelve sick lyke. The assembly eeketh to the word *government* this word *discipline*.
10. The tenth article to remain unaltered.

LIFE OF BISHOP GORDON.

APPENDIX No. I.—See page 149.

LITERA CONFIRMATIONIS MAGRI JOANNIS GORDOUN. [REG. MAG. SIG. XXXV. 797.]

JACOBUS de j gratia Rex Scotorum Omnibus probis hominibus suis ad quos pñtes litere peruenerint Salutem, Sciatis quia nos, cum auisamento et consensu charissimi consanguinei Jacobi Morauie comitis, dñi abirnethie et^e ñri ac regni et liegiorum ñrorum regentis, Ratificauimus, approbauimus ac pro nobis et successoribus ñris pro perpetuo confirmauimus donationem ēpatum candide case et abbacie de Tounkland eidem annexat^o et incorporat^o perprius per quondam ñrm charissimū patrem bone memorie et matrem, regem et reginam regni ñri pro tñpre, factam predilecto ñro clerico magro Joanni Gordoun consanguinio germano predilecti ñri consanguinei et consiliarij Georgi Comitis de Huntlie, dñj Gordoun et badženo^t et per resignationem et simplicem dimissionem Alexandri tunc ēpi eiusdē dicto magro Joanni clerico ñro predicto cum omnibus clausulis, pñtatibus, priuilegijs, juribus et titulis in eadem donatione content^o, pro omnibus sue vite terminis et diebus (dempto tamen officio comissariatus et consistorie eiusdem, tantūmodo donec ordo ulterior capiatur,) ac etiam volumus quod omnia beneficia que per predictam donationem ad suam dispositionem pertinent qualificatis et doctis hominibus cum consensu ecclesie reformate vel talium personarum que pro ministrorum admissione forent elect^o concedantur, Et nos informati existentes de qualificatione singulari dicti magrj Joannis et quod in Hebraica, Caldica, Syriaca, Greca, et Latina linguis bene eruditus est, et quod vehementer per integram ecclesiam et ministros regni ñri desideramur preferre dictum mğrm Joannem dignitati ecclesiastice pro subditorum ñrorum instructione, PRO quibus causis Nos, cum auisamento dicti ñri predilecti consanguinei, non solum dictam suam primam donationem Ratificamus et approbamus sed etiam ex ñra autoritate et pñtate regali dictum ēpatum et abbaciam, loca, domos, pomaria et hortos earundem cum ecclesijs, terris, decimis, emolumentis, casuali-

tatibus, comodatibus, terris dñicalibus, lie manis, mansionibus, privilegijs regalitatum et alijs proficuis et privilegijs quibuscunq̃ pertinen. vel que ex antiquo pertinuerunt ep̃atuj et abbacie predict^e de nouo dicto mag̃ro Joanni damus et concedimus, cum p̃tate dicto mag̃ro Joanni per semetip̃m, suos camerarios et factores suo nōie, cum omnibus et singulis decimis, fructibus, redditibus, emolumentis, comodatibus et deuorijis quibuscunq̃ et alijs prescriptis ad dict^e ep̃atum et abbaciam pertinen. a parochianis, tenentibus, feudifirmarijs et occupatoribus ecclesiarum et terrarum eisdem anexat^e et ab alijs in solutione earundem astrictis et addictis intromittendi et leuandi, ac pro reductione omnium feudifirmarum et assedationū, terrarum, terrarum dñicalium, lie manis, decimarum, victualium pro pecunijs balliatuum quouismodo in diminutionem veteris rentalis ab vltima religionis reformatione locat^e vocandi ac aūatim durante sua vita desuper ad suū libitum disponendi, earumq̃ tenentes imponendi et extraponendi ac feudifirmas et assedationes earundem absq̃ diminutione et lesione dicti veteris rentalis locandi simili modo et adeo libere in omnibus sicuti aliqui alij sui predecessores dict^e ep̃atus et abbacie possessores eisdem et eorundem fructibus temporibus preteritis gaudebant et possidebant et ac si in curia romana vel alias ad dict^e beneficia prouisus fuisset ac possessionem virtute eiusdem obtinisset, non obstantibus quibuscunq̃ n̄ris legibus, actis, statutis, literis vel proclamationibus in contrarium factis vel fiendis, penes quos et omnes penas in eisdem content^e ac cum omnibus exceptionibus et defectionibus quibuscunq̃ que in contrarium validitatis et efficacie p̃ntis n̄re dispositionis vel inhabilitatis persone dicti mag̃ri Joannis proponi et allegari possunt nos pro nobis et successoribus n̄ris cum auisamento et consensu predict^e pro perpetuo per p̃ntes dispensamus, Exonerando et inhibendo virtute p̃ntis n̄re donationis omnes magnas et minutas pensiones a decessu quond^e Epi Andree dury datas, similiter de nouo inhiben. omnes alios officarios in dicta donatione dict^e quondam n̄ri charissimi patris bone memorie et matris content^e de omni perturbatione dicti mag̃ri Joannis in sua pacifica possessione et gausione integrorum fructū, redditū et emolumentorum dict^e ep̃atus et abbacie, ac etiam cum p̃tate eidem omnem ecclesiasticam jurisdictionem vtendi ac omnia beneficia infra dictam jurisdictionem, (except^e prius except^e) dandi. QUARE mandamus sessionis et consilij n̄ri dñis q̃tenus alias n̄ras literas in quatuor formis, ad causandum dictum mag̃rum Joannem prompte responderi et obediri de omnibus et singulis predictis aūatim durante vita sua, dent et concedant. IN CUIUS REI testimonium presentibus magnū sigillum n̄rm apponi precepimus, apud Edinbur^t, quarto die mensis Januarij, anno dñi millesimo quingentesimo sexagesimo septimo et regni n̄ri primo.

No. II.—See page 150.

ARTICLES AGAINST ADAM BISHOP OF ORKNEY, 1570.

The heads of the accusation and chief offences laid to Adam Bishop of Orkney his charge, which the Assembly desired to be redressed: Imprimis, The said Adam being called to the said office of Bishoprick, and promoted to the profite thereof, and specially in Christs Kirk, received the charge of preaching of the Evangell, to be also Commissioner of Orkney, which he accepted, and executed for a certaine space thereafter, whill now of late he hath made a simoniall change of the same with the abbacy of Halyrudehouse, yet bruing the name, and stiled Bishop of the same, contrair to all lawes, both of God and man, made against simony. 2. He hath demitted the said office and cure, in and unto the hands of an unqualified person, without consent and licence asked and granted be the Assembly, leaving the flock destitute without shepherd; whereby not only ignorance is increased, but also most abundantly all vice and horrible crimes are there committed, as the number of six hundreth persons convict of incest, adultery, and fornication in Zetland, beareth witness; and hath simpliciter left the office of preaching, giving himself daily to the exercise of the office of a temporall judge, as a Lord of the Session, which requirith the whole man, and so rightly no wise can exercise both, and stileth himself with Roman titles, as Reverend Father in God, which pertaineth to no ministers of Christ Jesus, nor is given them in Scriptures. Thirdly, To the great hurt and defraud of the Kirk, hath both all the thirds of the said abbacy of Halyrndehouse, from the said Lord Robert and his barnes, alledged just possessors of the same, at least made a simoniacall change thereof with the rents of Orknay for the same, without consent or knowledge of the Assembly, as diverse contracts made therevpon bear witness, and hath set nineteen yearly [years] tacks of the lands of Brughton to his wife. Fourthly, That he neither planteth Kirks destitute of ministers in either of the said rooms, neither sufficiently provideth nor sustaineth the small number planted before his entry; so that except hasty remedy be found, for meer poverty the poor ministers must depart from the saids places, with dolour of their hearts, and also the flocks committed to their charge; as in particular, the Kirks of Libberton and Sanct Cuthbert can bear witness, and the remnant wholly destitute, although two Kirks to the number of six hundreth souls that never heard the word twice preached, nor received the sacraments since the Reformation, viz., Faw Kirk and Whytkirk, among all the rest of the number of twenty-seven [seventy-two] or thereby, in Lothian and Galloway. Fifthly, All

the said Kirks for the most part, wherein Christs Evangell may be preached, are decayed, and made some sheepfolds and some so ruinous that none dare enter into them for fear of falling, specially Halyrudehouse, although the Bishop of Sanct Andrews, in time of Papistry, sequestrate the whole rents of the said abbacy, because only the glassen windows were not holden up and repaired. Sixthly, The said Adam hath accused both publickly and privatly the ministers of Edinburgh, as persons that have past the bounds of God's word, in their publick teaching, &c. In token whereof he hath absolutely absented himself from all preaching in the said Kirk, and receiving of the sacrament; howbeit he hath had his dwelling place within the said burgh, at certaine and diverse times sensyne. Many more might be laid to his charge, but the Assembly trusting the former being amended, the rest will the better be redressed, doth supercede.

No. III.—See page 150.

THE BISHOPS ANSWERS TO THEM.

The Bishop of Orknay presented his answers to the offences laid to his charge. To the first he answered, that it is true that in the 58 year of God, before the Reformation of Religion, he was, according to the order then observed, provided to the Bishoprick of Orknay, and when idolatry and superstition was suppressed, he suppressed the same also in his bounds, preached the word, administred the sacraments, planted ministers in Orknay and Zetland, disposed benefices, and gave stipends out of his rents to ministers, exhorters, and readers, and, when he was commissioner, visite[d] all the Kirks of Orknay and Zetland twice, to the hazard of his life, in dangerous storms on the seas, whereby he contracted sickness to the great danger of his life, till he was suspended from the exercise of the said commission, in the year 1567, be reason of his infirmity and sickness, contracted through the air of the countrey and travells in time of tempest, at what time he desired some other place to travell in, which was then thought reasonable. As for demitting of his office, he denied that ever he demitted to my Lord Robert the same, or any part thereof, but the same Lord Robert violently intruded himself in his whole living, with blood shed and hurt of his servants; and after he had craved justice, his and his servants lifes were sought in the very eyes of justice in Edinburgh, and then

was constrained from meer necessity to take the abbacy of Halyrudhouse, be advice of severall godly men, because then we could not have the occasion of a Generall Assembly. As to the second, he denied that he had abandoned absolutly the preaching of the word, or that he intended so to doe, but was to bestow his travells in preaching as the ability of his body and sickness, whereunto he was subject, would suffer or permitt; he confessed, that, in the 1563 year of God, he was required be the Kings mother to be a Lord of the Session, which he accepted with the advice of godly and learned men, compting it not repugnant or contrarions to any good order as yet established in the Kirk; and alledged that diverse others having benefices have done the like and are not condemned for so doing; yea, he doubted not [to] affirm that, as the office itself was allowable, so it should be profitable for the Kirk, that many preachers of the Evangell were placed in the Session. Item, Seeing Superintendants and Ministers are, and may be, temporall judges, in other inferior offices and no fault laid to their charge, he wondered why it should be counted a fault in him only. As for the latter part of the second article, he answered thus, with pardon and reverence of the Assembly, I may declare I never delighted in such a stile, nor desired any such arrogant title, for I acknowledge myself to be a worm of the earth, not worthy any reverence, giving and attributing to my God only all honour, glory and reverence, with all humble submission. To the third article he answered, that it is true that he did set an assedation of the fruits of the Bishoprick of Orkney to the said Lord Robert, for the yearly [payment of certaine dutys contained in his tacke, and albeit the said Lord Robert, for] payment of a part of the yearly duty foresaid, assigned to him a certain pension, which his barnes had assigned unto them of the fruits of the abbacy of Halyrudhouse, of which pension they had confirmation be Act of Parliament, and were in reall possession without impediment diverse years, with provision also that in case it shall happen the pension be evicted from them, the said Lord Robert shall pay to him so meikle silver, victuall, and goods of the frutts of the Bishoprick of Orkney, as extend to the just valuation of the said pension, which thing is done and permitted universally throughout the whole realme, that any ecclesiasticall person may sett a part of his benefice in tack for the yearly payment of a just duety, and so there is nothing bought or sold in defraud of ministers, bnt, be the contrair, he, being troubled be vertue of letters of horning at the instance of the Collectors of the Kirk, and also at the instance of the said Lord Roberts barnes, charging him to make double payment, he meant himselfe to the Lords of the Session, desiring both the parties to be called before them, and to decide who had just title, which action was yet depending before the Lords, to his great hurt, for, in the mean time, his whole living is sequesterate, and, in case the Collectors of the Kirk evict, he will gett recourse and payment of the fruits of

the Bishoprick, and that he had made no other plea or impediment be himself, or be his procurators. To the first part of the fourth article he answered, that he had no commission to plant or visite, since his entry to the said abbacy; but, if they would give him a conjunct charge with the Superintendent of Lothian, he should so travell, that they should be satisfied. As to the second part he answered, that the whole thirds of the benefice of Halyrudhouse are to be payed forth, either to the Collectors of the Kirk, or to the said Lord Roberts barnes; and attour, the most part of the fruits of the two part of the said abbacy is assigned and given forth in pension[s] to diverse persons before his provision, and yet hath payed to the ministers their stipends as they were wont to receive forth of the said abbacy, and hath augmented some ministers stipends. And also, if the plea depending before the Lords were decided, would be as liberall in the sustentation of ministers as become him, having respect to the rent of the benefice, and withall desiring that so many ministers, sometimes channons of the place, having a great part of the living [thereof] assigned out of certain Kirks now altogether destituted, might be charged to serve rather in the said Kirks than in others, as other channons doe in other Kirks whereof they receive their living; and promised, if so were done, to augment their stipends largely. As to the fifth he answered, he was but of late come to the benefice, and the most part of these Kirks were pulled down be some greedy persons at the first beginning of the Reformation, which hath never been helped or repaired sensyne; and few of them may be repaired be his small portion of the living; but specially the abbay church of Halyrudhouse, which hath been these twenty years bygone ruinous through decay of two principal pillars, so that none were assured under it, and two thousand pounds bestowed upon it would not be sufficient to ease men to the hearing of the word and ministration of the sacraments. But with their consent, and help of an established authority, he was purposed to provide the means that the superfluous ruinous parts, to wit, the queir and croce Kirk might be disponed be faithfull men to reparaire the remnant sufficiently, and that he had also repaired the Kirk[es] of Sanct Cuthbert and Libberton, that they were not in good case these twenty years bygane, and farther, that there was an order to be used for reparation of Kirks, whereunto the parochiners were oblidged as well as he, and, when they concurred, his support should not be inlaiking. As to the last he denyed that he spake any thing, but that which he spake in the last Assembly, in their own audience; God forbid that he should be a detracter of God's ministers for any privy injury done to him, as he alledged none; if there were any, he would rather bury them, than hinder the progress of the Evangell. As for absenting himself from their preaching, he answered he only kept his own parish Kirk, where he had received the sacrament.

LIFE OF MR. ROBERT PONT.

APPENDIX No. I.—See page 178.

THE ESTATE AND ORDER OF THE PRESBYTERIES WITHIN THE BOUNDS OF THE
COMMISSIONERS, PRESENTED BE MY LORD CLERK REGISTER, AND SET DOWN
BE HIS L. TRAVELLS AT REQUEST OF THE KIRK. [CALDERWOOD'S MS. HISTORY
IN THE LIBRARY OF THE CHURCH OF SCOTLAND.]*

| | | |
|----------------------|------------------------|---------------------------|
| <i>Setland.</i> | St. Colmes Kirk | Dunroseness |
| Tingwell | Cross Kirk in North | |
| Quhytness [Whytnes] | Maving | <i>Orkney.</i> |
| Visdail [Vesdeale] | Delting | Kirkwall |
| Quhailsay [Quhalsa] | Olna Firth | St. Olaus Kirk [St. Lawis |
| Skerreis | Statsta [Stalista] | Kirk] |
| Nesting | Fetlair [Feltare] | Birsay |
| Lunasting | Hammabo | Harray |
| Brassay | Rafuird | St. Andrewes Kirk in |
| Burray [Barray] | Nesse in Zeel [Ness in | Deirness [Dearnis] |
| Sandsting | Zell]† | Holme |
| Aithsting [Ethsting] | Vust [Vnst] | Orphair [Orfare] |
| Sandness | Sandweik | Stainhouse |
| Papa | Cumsburgh [Cunisburgh] | Firth |
| Fula | Croce Kirk | Evie [Euie] |
| Vaus | Fairyle [Faire Yle] | Randell |
| Olaberry | Bailzesta | Inhallow |

* This article has been collated with a MS. of the Buik of the Universall Kirk of Scotland, in the Advocates' Library (A. 1. 11.) and all the material variations are inserted within brackets. The names of the Commissioners are not in the Advocates' MS. The copy of this Appendix among Wodrow's MSS. at Glasgow is so inaccurate as to render any reference to it quite unnecessary.

† Ness in Zell?

| | | |
|---|----------------------------|--------------------------|
| Stronness | Skenand | Arthur Feir* |
| Sandweik | Olrick | Feddertie [Foddertie] |
| Russay | Lathroun [Lathroome] | Killernane |
| Eglisay [Eglissay] | Thurso | Suddie |
| Weir | R a [Ray] | Kynnettes [Kinettes] |
| Wallis [Vallis] | Ardurinesse | Urquhart |
| Flattay | Far [Farre] | Logie Wester |
| Farray | | Vrray |
| Hoy | <i>Sutherland.</i> | Cullieudan [Cullickden] |
| Grimsay | Assent | Kilmorak |
| S. Nicolas Kirk | Dornock | Kirkchrist |
| Marie Kirk | Creich | Kirkmichael |
| Peter Kirk in Stronzay | Laig | Contane |
| Ethay | Rogairt [Roggers] | Cromartie |
| Torray [Farray] | Kilmailyie [Kilmalchie] | Lochbrouer [Lochbroome] |
| Lady Cross Kirk in Westra, [Ladie Croce Kirk] | Clyne | Lochalsehie |
| Papa Westra [Papa] | Loth [Loch] | Lochcarroun [Lochcarron] |
| [Vestra] | Kildonan | Garloch |
| Ladie Kirk | <i>Ross.</i> | Aplecroce |
| Crosse Kirk | MR. JOHN ROBERTSON. | Kintail |
| St. Colmes Kirk in Sanda | Kincairdin | Invernesse |
| and North Ronald Say | Tayne | Bonoch [Bowoche] |
| St. Chapinsay [Shapinsay] | Eddirtayne | Fairnway [Fairway] |
| Ladie Kirk in Burnvick | Nigg } [Nig Terbert] | Croy |
| Peter Kirk [Peeter Kirk] | Terbert } | Moy |
| Scrownay [Strownay] | Kilmiure Easter [Talmuire] | Pitte [Pettie] |
| Burray, — all in South | Eister | Bruchte |
| Ronald Say | Logy Eister | Baaven [Bravanie] |
| | Roskene [Rosken] | Dallarace [Dallarasch] |
| <i>Cathness.</i> | Newmakyle | Davy [Dawie] |
| MR. ROT. GRAHAME. | Alnesse [Alves] | Lundicht |
| Week | Colterne [Kilterie] | Durris |
| Bouar | Lymlair [Linlair] | Dacus |
| Wattin [Vaiting] | Dingwell | Bolleskene |
| Canespie [Canisbie] | Channorie of Rosmerky | Wardlaw |
| Dunnet | [Aua] | Conveth |
| Wallkirk | Kilmure Wester | Cainmer [Comer] |
| | | Abirtarf |

* Ardersier?

| | | |
|---------------------------|-------------------------------|---------------------------|
| Kingusse [Kinnies] | Duppill | Banff |
| Lagan | Ruthven | Inner Bundyne |
| Skeir | Aberlour | Alneth |
| Alloway | Skairdurstane [Skirdur- | Forglyne |
| Rothymarcus | skin] | Innerkethny |
| Kincairdin | Pettinmuyth | Abirchirdoure |
| | Birney | Gemry |
| <i>Murrey.</i> | Rothesse | Kynedward [Kinged- |
| MR. JOHN KEITH. | Urquhart | ward] |
| Forress | Bellie | Turreff |
| Edincalyie [Edincalchie] | Kynnore [Kinnor] | Auchterlais |
| Alter | Dumbennane | Forglene |
| Raffort | Botare [Botter] | Deir |
| Ardelach | Elcheis | Fetterangus [Fettirangus] |
| Dolesse | Glasse | Lungley [Lundlay] |
| Alvesse [Alves] | Gartley | Methlyk |
| Langbryd [Landbryd] | Drumdalgie | Tarves [Tarwes] |
| Dyke | Keith | Petterugy |
| Moiy [Moy] | Rothmay [Rothemay] | Creichmond |
| Aulderne | Forg | Rathin |
| Narne | Drumblait | Lummey |
| Kirkmichael | Murchlack [Murthlache] | Crowden [Cruden] |
| Inneralloun [Inneralloch] | Dummeth | Slains |
| Knockandoch | Carbroch | Furvey |
| Urquhart | Esse | Allane |
| Glenmoristone | Ryme [Rind]* | Tyre |
| Inneraven [Innerawin] | Achindore | Aberdoure |
| Duthill [Douthill] | | Phillorth |
| Abernethie | <i>Banff.</i> | |
| Abdie | MR. GEORGE HAY. | <i>Aberdeen.</i> |
| Cromdell [Cromadaill] | Rathven | MR. PETER BLACKBURN. |
| Elgine | Forskene | Logybuchan |
| St. Andrew's Kirk | Dundurch [Durdouch] | Foverne [Fovan] |
| Spynie | Kinattallartie [Kincallartie] | Balhelay † |
| Kynieedward | Fordice | Elder Aberdeen [Auld |
| Essill [Eslie] | Cullen | Abd.] |
| Duffus | Deskfurd | Monycabuk |
| Vgstoun [Ougstoun] | Ordquhill [Orgouthill] | New Aberdeen |

* Rynie?

† Balhelvie.

| | | |
|-------------------------------|---------------------------------------|----------------------------------|
| Nig [Nige] | Keig | Dinnotter |
| Banquhorie Devymuck | Lochmichill | Garvoch |
| Marie Culter | Monymusk | Catterling |
| Peter Culter | Echt | Fordoun |
| Dilmaock [Dilmaick] | Banchindore Ternitie | Conveth |
| Durris | [Auchindor Ternatie]† | Kynneth [Kinneth] |
| Dyce | Strachane | Bervie [Bervie] |
| Fyntrie | Birse | Rescobie |
| Kyntore [Kintoir] | Oboyn [Boyne]‡ | Arbuthnet |
| Kynnellan | Tullich | Benholme |
| Skene | Glenmuick [Glenuig] | Ecclisgreig |
| Kynarny [Kinnairnie] | Abergairdin | Abirlichnot [Aberluch-
noch] |
| Inneroure [Ennerourie] | Crathie | Glenbervie |
| Monkegy [Moniagy] | Kyndroch | Fettercarne |
| Rothelay [Rothlie] | Tond | Newdosk |
| Fyvie | Cachine [Cuschnie] | Brechin |
| Tarvesse | Colquhoddilstone [Col-
chodistone] | Buttergill |
| Logy Dornoch | Logymar | Kilmore [Killiemure] |
| Primay [Premna] | Coule [Cowter] | Fernivell [Fernivell] |
| Leslie | Migve [Migwie] | Kenickstoun [Cuikeston] |
| Damot [Dawid] | Tarlane | Stracathro |
| Vne [Vue] | Kildrynnie | Lethnot [Lethnoch] |
| Rayne | Glenbuchet | Lochley |
| Kynnathmont | Inner Auchte [Enner-
nauchte] | Navar |
| Christs Kirk | Kynbethock [Kinbeth-
ock] | Fynnaven |
| Clatt | Forbess | Kyncaldrum [Kincair-
din] |
| Inche Colsalmond | Keir | Nethir Airlie [Nethir-
ellie] |
| Fetterneir | Tulinessell [Tilliecessall] | Keremuire [Kirremure] |
| Kincairdin Oneill | | Abirlenno |
| Glentennore [Glentan-
nar] | | Aldbar |
| Lusannan [Lesmore]* | <i>Angus and Mernes.</i> | Edyew [Edzell] |
| Clunie | THE LAIRD OF DUN.§ | Dunloppy [Drumlappie] |
| Midmair | Fetteresse [Fetterasso] | |
| Aufuird | | |

* Lumphanan?

† Banchorie Ternan?

‡ Aboyne?

§ This linein Calderwood is placed in the middle of the parishes, instead of preceding Feteresse, where the district commences.

|| Kingoldrum?

| | | |
|---------------------------|--------------------------|--------------------------|
| Glames | Monyfruth [Monifathe] | Moncrief |
| Clova | Monykie | Forgundenny |
| Luntrethen | Pambryd | Forteviot |
| Forfar | Foulis [Fowles] | Ecclesmagerdoyll [Eglis- |
| Rastennet | Langforgand | magirdl] |
| Methy | Inchestare [Inchestuire] | Muckersie |
| Kynnetillis [Kinnettles] | Kynnaird | Dunayne [Dunnyn] |
| Tannades | Rossy | Rind |
| Essy | Abirnyte | Tibbermure |
| Innerarate [Enderaritie] | Banvy [Benvy] | Aberdagie |
| Kirkbudd [Kirkbuddo] | Lundie | Pitcairne |
| Cortoquhy | Anchterhous | Kintail |
| Montrose | Teling [Teilling] | Madertie |
| Dun | Logy Alloway | Methven |
| Ecclishame [Eglshem] | Strikmartin | Loncarde |
| Guthrie | Newtyle | Logarton [Roggartoun] |
| Edwe [Ewie]* | Nava | Collasse |
| Dunnytin | Megle | Kethins |
| Logy Montrose | | Trinite Gask |
| Inchebracke [Inch Braock] | † Perth. | Findo Gask |
| Menmure | Mabar [Malar] | |
| Maryton | Kynnoule | <i>Dumkelden.</i> |
| Lownan [Lunan] | Kynfaunes | Dumkelden |
| Innerkilloure | Skoone | Dowallay |
| Athe [Eithe] | Cambusmichael | Inchechadden |
| Aberbrothe | St. Martins Kirk | Clunne [Clunay] |
| St. Vigeans | Aldmelguiche [Aldmel- | Torthirigill ‡ |
| Kynnell | gūge] | Weyme |
| Barray | Kilspindie | Kilmavenock [Kilnalvock] |
| Abirlett | Rait | Strouane [Strowall] |
| Dundie | Erroll | Lude |
| Maynes | Inchmartine | Rainnock |
| Logie Dundie | Sanct Madoes [St. Mar- | Dow |
| Lyf [Lyphe] | royes] | Fosse |
| Inner Gowrie | Abernethy | Logyrait |
| Myrrous [Murrous] | Drone | Kirkmichael |
| Ballumby | Dunberny | Mulong [Mulyne] |
| Grantullie | Pety | Ardounane [Adunnan] |

* Idvie ?

† [Perth ?]

‡ Fortingall ?

| | | |
|------------------------------|-----------------------------|---------------------------|
| Straphillan [Straphinnan] | Logie | Balmerinoch |
| Kyllin [Killen] | Lecrope | Logymurchio [Logie- |
| Lundeif [Lundyff] | Cambuskenneth | murdo] |
| Ratray [Ratteray] | Kippan | Leuchars |
| Cargill | St. Ninians Kirk, and | Forgund [Forgan] |
| Blain | Kirk in Mure | Couper |
| Capeth [Kapeith] | Larbar | Kilmanie |
| Clunie | Dunypace | Auchter |
| Benethy [Bennethay] | Airth | Auchtermunsie |
| Alicht | Bothkennar | Creich |
| Ruthven | Clackmannan | Dunbng [Dunbowg] |
| Glenylay [Glenaylla] | Tullybodie | Flisk |
| Kyncleuen | Tullyallan | Monymeill |
| Monide [Monyday] | Fossoquhe [Fosechie] | Kynnessie [Collesse] |
| Dumblane | Tulliboye | Auchtermuchtie |
| Kilbryd | Glendowen | Ebd [Eddie] |
| Kilmadock | Muckart | Stramiglo |
| Kycardin [Kincardin] | Dolor | Arngosk |
| Port | Alneth [Alnethe] | Falkland or Kilgour |
| Kilmahug | Tullicultri [Tilliecowtrie] | Lathrisk |
| Callindreich | Faukirk | Kirkforthie |
| Leny | Slamannan | Kirkcaldie |
| Abirfuil | | Scony |
| Balquhiddier | <i>Fife.</i> | Kennowey [Kennoquhy] |
| Cumre [Cumrie] | Sanct Andrewes | Markinchie |
| Strowan | [St. Leonards] | Mathill |
| Tullichettill [Tullichetlie] | [Dinninow] | Weymes |
| Muthill | Carrail | Dysart |
| Strogeich [Strogeith] | Carnbie | Kinghorne |
| Aughtirardour | Anstruther | Auchintule [Auchtertoole] |
| Abirruthven | Kilrynn timer | Wester Kinghorn [Brunt- |
| Monyvaird | [Pittinweyme] | iland] |
| Monyzie [Monichie] | Kilconquhare | Auchterdiray |
| Foules | Abercrombie | Ballingry |
| Creif | Largo | Lessly |
| | Newbyrne | Dumfermline |
| <i>Dumblane.</i> | Seres | Kinglasse [Kinglassie] |
| JAMES ANDERSON. | Kembeg [Kembock] | Portmook |
| Striline [Striveling] | Darsie | Urna11 [Urvel] |

| | | |
|--------------------------|-----------------------|--------------------------|
| Kinross | Hales | Pentcateland |
| Cleish | Ratho | Saltoun |
| Sauling | Gogar | Keith Humbie |
| Carnock | Currie | Keith Marshall |
| Culross | St. Cathrine in Hopes | Dumbar [Dunnas] |
| Crummie [Crumbie] | Musleburgh | Spot |
| Torrie | Natoun | Innerweck |
| Innerkeithing | Libbertoun | Aldhamstocks |
| Ressyth [Rossie] | Dalkeith | Colbrandspeth |
| Aberdour | Leswaid | Ald Cammis [Auld Cam- |
| Dalgatie | Glencorse | mis] |
| Baith | Melvill | Whittinghame |
| | Newbotle | Tinninghame |
| <i>Lothian.</i> | Cockpen | Fentoun [Stentoun] |
| Linlithgow | Pentland | Quhytkirk |
| Carriden | Penyuick | Aldham |
| Bynn timer | Morth Lothian | Bass |
| Kynniell | Temple | Coldinghame |
| Caldercults | Borthwick | Ayton [Aittoun] |
| Strabrock | Carrington | Lamberton |
| Ecelismachan | Clerkington | Hattoun [Haltoun] |
| Kirklistoun | Crighton | Swintoun |
| Dummanie | Ormeston | Hornden |
| Torphichin | Faula | Fisheweik |
| Bathcat | Sowtray | Piltoun |
| Livingston | Cranston | Chirneside |
| Abercorne | Haddingtoun | Boncle and' |
| Adcathe [Athcath] | St. Martins Kirk | Prestoun |
| Kirknewtoun | Elstanefuird | Lannell and |
| Caldecleir [Caldercleir] | Boltoun | Simprin |
| Edinburgh | Bothans | Langtoun |
| St. Cuthberts Kirk | Morehame | Fogo |
| Corstorphine | Barro | Polwart |
| Halyrudhous | Garvet | Dunce |
| Castle of Edinburgh | North Berwick | Quhitsuone |
| Dudingston | Gulane | Mordington |
| Leith | Aberladie | Langformacus |
| Restalrig | Setoun | Ellem St. Cuthberts [El- |
| Cramond | Tranent | lanan] |

| | | |
|-----------------------------|----------------------------|----------------------------------|
| [St. Cuthberts] | Langnewton | Brochtoun [Bredtoun] |
| Foulden | Lyllisleif [Lillischleiff] | Glenqhume [Glenq'ne] |
| Edrem | Selkirk [Selcraig] | Straling |
| Cranshawes | Lynden | Kilbueho [Kilbuthie] |
| | Newkirk of Etterick | Lyne |
| <i>Merce, Tiviottlaill,</i> | Rankilburne | Lyntoun [Lantoun] |
| <i>Tweddale.</i> | Askirk | |
| Kelso | Jedburgh [Geddart] | <i>Cliddisdail, Renfrew, and</i> |
| Mayzell [Meychell] | Crailling | <i>Lennox.</i> |
| St. James' Kirk | Nisbet | Lannerk |
| Sprowston [Spreustoun] | Oxnem [Oxnam] | Carlaverock |
| Lempitlaw | Ankrome | Pettyname |
| Edwin [Ednam] | Mynto | Cothquen |
| Zettam | Bedroule | Liberton |
| Lyntoun | Abbotsroule | Covington [Crowartoun] |
| Morbattle | Hopkirk | Thankerton |
| Mow | Hassinden and | Carnweth |
| Hown [Hooime]* | Cavers | Carstairs |
| Ald Roxburgh | Hawick | Roberton [Roberts Toun] |
| Mackkairston | Weltoun | Symontoun |
| Nantharne [Mantharnay] | Kirknewton | Wiston [Wischetoun] |
| Greenlaw [Grcinland] | Suddom | Crawfurd John |
| Eccles | Eckfurd | Crawfurd Douglass, alias |
| Gordoun | Cassiltoun | Crawfurd Lindsay |
| Houme [Hoome] | Edletoun | Hartside |
| Stitchell | Peebles and Manner | Lamintoun |
| Melrose | [Maner] | Culter |
| Lassiden [Lessindam] | Inner Letham | Weltstoun [Velstoun] |
| Maxton | Heopcalseo [Hope Cul- | Dunsire [Dunschyre] |
| Smailhame and | cheo ^r] | Dolphintoun |
| Merton | Traquair | Biggar |
| Ligerwood | Eddestoun | Dowglass |
| Bassinden | Newlands | Carmichael |
| Essiltoun [Hessitoun] | Kirkwod [Kirkuird] | Lesmahago |
| Lauder | Stobo | Stannhous |
| Chingilkirk [Chingleck] | Drummalyer [Drummal- | Glasgow |
| Stow | cheo ^r] | Calder |
| Bowden [Bunden] | Dawick | Monkland |

* Hownam ?

| | | |
|---------------------------------|---|--------------------------------|
| Bothwell and | Rossneth | Prestick |
| Schotts | Killern | Dundonald |
| Cambusnethen | Fintrie | Corsbie |
| Dalyell | Strablain | Symontoun |
| Strathaven | Killmaronnock | Uchiltrie |
| Hamiltoun | Drummond [Drimēn] | Auchinleck |
| Dalserf | Balfrone | Mauchline |
| Glasfurd | Kirkpatrick | Kirk of Muir |
| Cambuslang | Bothernock | Gastoun |
| Carmarnock and Torrence | Inchecalypour | Dalrymple |
| Blantyre | Irving | Quiltoun |
| Killbryd | Peirston [Perstoun] | Damellingtonn |
| Rutherglen | Largues [Largis] | Maybole |
| Cathcairt | Cumrie | Killbryd |
| Givand [Given] | Killbryd | Kirkoswald |
| Campsie | Ardrossan | Kirkmichael |
| Lunzie [Lunchie] | Killwyning | Cammonell [Calmonell] |
| Monyabroch | Dunlop | Straton |
| Pasley | Beeth | Kirkcudbright, alias |
| Neill [Neiles] | Stinsoun | Innertig |
| Kilbarchan | Dalry | Dalie |
| Eastwood | Kilburnie | Girvan |
| Mernes | Killmarnock | Chaschant [Schaschank] * |
| Renfrew | Lowdon | Glenluce |
| Inchynnan | Killmars | Inchesalsat |
| Erskine | Dreghorn | [Salsyde] |
| Ecclishame [Egilsham] | Stewartoun | Kirkcolme |
| Lochinzevch [Lochquin-
noch] | <i>Kyle, Carriet, and
Cuninghame.</i> | Leswalt |
| Howstoun | Air | Stanykirk |
| Killmalcolme | Alloway | Toscartoun [Tostartoun] |
| Killallan | Terbolton | Kirkmadin in Rynniss |
| Innerkep | Barnweell | Wigtoun |
| Dumbartan | Craigy | Qubitterne |
| Cardros | Rickartoun | Crugiltoun [Congling-
toun] |
| Balnill | Monktoun | Kirkcowane |
| Lusse | St. Kevoeks [St. Caveoks] | Kirkmaden |
| Kilmahew | | Sorbie |

* Should not the district of Galloway begin here?

| | | |
|----------------------------|--|---|
| Kirkenner | Terriglis | Drumgrany [Dongranie] |
| Mochrum | New Abbey | Kirkwald |
| Pennyngnam | Halywod | Mickle Daltoun |
| Glassertoun in | Suddick | Little Daltoun |
| Kirkmadin in Farnes | Lochravin [Lochrawane] | Muswald |
| | Kirkcunzean [Kirkunclean] | Ruthvell [Ruthwall] |
| <i>Galloway.</i> | | Hutton |
| JOHN DUNKANSON. | Kirkpatrick | Aplegirth |
| Kirkcudbright | Irnegray | Drysdail |
| Galloway [Galuey] | Kirkpatrick in the Mure, alias Dunrand | Silbelly [Sibbellie] |
| Dunrod | Kirkbane [Kirkblane] | Annand and |
| Balnagie [Balmache] | Cowane | Dronock |
| Kilchrist | Carlaverock | Castell Milk |
| Tuynem [Twinem] | Tynwell | Cummertrees |
| Tungland | Torthorall [Torquhorell] | Hoddorn Luce [Luiff] |
| Borg [Borge] | Kirkmahoy | Penner Sax [Pennerfacks] |
| Kirkanders | Penpont | Trail Row [Trailnow] |
| Sandweik | Tyrewyne | Ecclesham [Eglesham] |
| Girton | Durisdair | Middilly [Mordelnie] |
| Anweth | Killbryd * | Torry |
| Kirkmabrek | Mortoun [Mertun] | Kirkconnell |
| Kirkdaille | Kirkconnell | Caruthers |
| Minygoft [Monygaffe] | Sanquhar | Tonargirth |
| Dundrennan | Closeburne | Gratney |
| Buthill | Dalgarne | Reidkirk, alias Kirkpatrick [Red Kirk, alias Kirkpatr.] |
| Kelton [Gelton] | Dunsteer [Dunskyre] † | Wawchope |
| Gelstoun and [Gellistoun] | Glencarne | Cannabie |
| Kirkcormock | Lochmabane Moffet ‡ | Mortoun |
| Cormisthaell [Cormic-hael] | Kirkpatrick Juxta [Kirkpatrick Juxta] | Watstaker [Vastraker] |
| Partoun and Dalry | Johnstoun | Staplegreton |
| Kellis | Wamphra | Nether Kirk of Allys [Elis] |
| Balmacellan | Kirkmichael | Over Kirk of Allys [Vther Kirk of Elis] |
| Dumfreis | Trailflat | |
| Traqueir | | |

* Kirkbryde?

† Dunscore?

‡ Lochmabane Moffet } differunt parishes?

No. II.—See page 191.

COMMISSION BY THE GENERAL ASSEMBLY FOR ENQUIRING INTO THE DILAPIDATION
OF BENEFICES. [BOOKE OF THE UNIVERSALL KIRK OF SCOTLAND, ADVOCATES'
LIBRARY, A. 1. 11, FOL. 176.] *

Sess. 5. 26 June, [1595]

Anent [the] planting of Kirks, because ane special impediment hes bein
y^of ye dilapidatioun of ye benefices possest be ye brethren of ye ministrie,
qⁿ [hes] sett y^r benefices with ye diminutioun of the rentalis, or be conversioun
of [y^e] victuall in silver, no^t regarding ye acts and ordinances of ye Asslie,
heirfor for remeid ye Gⁿall Asslie hes givin power and commissioun to ye
brey^r vnder wrytin, within ye bounds particularlie vnder devydit, to call befor
y^m. sick persons within ye ministrie y^t sen ye Act of ye Assemblie, made in
ye 5eir of God, 1578, hes sett y^r benefices with diminutioun of the rental y^of,
or conversioun of ye victuall in silver, [and] to proceed aganist y^m. with ye sen-
tence of depositioun, q^{lk}. sall stand in force ay and q^{lk}. they restore y^r benefice to
ye awin integritie, q^{rin} ye samein was at y^r entrie [y^rto,] that is to say, to Mris
Andro Melvill, James Melvill, Ro^t Wilkie, Tho. Buchannan, Andro Moncreif,
to call befor y^m. ye saidis persons within ye bounds following, viz., from Spay to
Tay, and all Louthiane, Mers and Teviotdaill, to compeir befor y^m. in St.
Androis. Nixt, Mris Da. Lindsay, Ro^t Bruce, Da. Fergusone, Ro^t Pont, James
Balfour, or any thrie of y^m, to sitt in Ed^t. and call ye saidis dilapidato^{ns}. befor
y^m. within ye bounds of ye haill [north] to Spay and Fyfe, as als beneficit
persons y^t hes made dilapidatioun within ye diocie of Ross. Thridlie, Mris
Patrick Simsone, An. 5oung, Harie Levingstoun, James Pont, Joⁿ. Davidsone,
to sit in Striveling, and call befor y^m. ye saids brethren y^t hes dilapida^t y^r bene-
fice within ye bounds of Strivelingshyre, Stratherne, Cliddisdaill, Dumbartane,
Ranfrew, Lennox, Kyle, Carrick, Cunighame, Galloway, Nithesdaill, and, for
ye better executioun to be had of this commissioun, ordaines everie p^{br}ie within
ye bounds forsaidis to send to ye judges, everie ane of y^m. within y^r. awin bounds,
particular informatioun and ansuer to ye heids q^{lk}. salbe pennit be y^r. broy^r, Mr.
Ro^t Pont, betwixt and ye 15 of August nixt, and to ye effect y^t ye p^{br}ies be
not ignorant hei^{ro}f, the Assemblie p^{nt}lie hes nomina^t. ye brethren afir s^{pe}it to
give warning to ye p^{br}ies within ye bounds re^xve following, according to ye
divisioun afir s^{pe}it, that is to say, Mr. Andro Crambie, [Crombie,] for Ros

* Collated with another MS. of the same Record, Advocates' Library, W. 1. 11.

Mr. Alex^r. Rawsone, [Andrew Lawsonsone, and] Mr. Alex^r. [Arch^d.] Dowglas, for Murray; Mr. Peeter Blackburne, Mr. Duncane Davidsone, [and] James Reid, for Abd.; Mr. Andro Mill, Mr. Alex^r. Forbes, for Mernes; Joⁿ. Durie, Mr. James Melvill, for Angus; Mr. Alex^r. Lindsay, and W^m. Glasse, for Stratherne; Mrs James Melvill, David Fergusone, for Fyfe; Mrs Walter Hay, Andro Blakhall, for Louthiane; James Deis, for Mers and Teviotdaill; for Tueddaill, Mrs Andro Blackhall, and Walter Hay; for Strivelingshyre, Mr. Adame Ballantyne; for Cliddesdaill, Ranfraw, Lennox & Dumbartane, Mr. Walter Stewart and Mr. Gawin Hamiltoun; for Nithesdaille, Mrs James Brysseoun, Hew Fullertoun; for Galloway, Mr. Joⁿ. Aikman; for Kyle Carriek, and Cunighame, Mr. David Barklay. Qlks informatiouns being receivit be ye saids judges, ordanes y^m. with all diligence to proceid aganist ye saids Pastours; and for ye faithful executioun of ye said commission, the said judges was sworne, except Mrs Thomas Buchannan, Ro^t Bruce, Patrik Simsone, Harie Livingston, [and] James Pont, q^o. were not pnt.

THE HEIDS OF INQUISITIOUN TO BE MADE IN EVERIE PRESBITRIE ANENT
DILAPIDATIONIS.

Imprimis, to take from everie beneficit minister ye pnt rental of his benefice, and q^t zeirle duetie be his awin confessioun he getts [gives] pntlie of ye samein. 2. If he hes sett tacks y^of, [and] to q^m, privatelie or publicklye, and, if neid beis, to take his aith y^on. 3. To inquirye q^t was ye estate of his benefice, qⁿ he entered with [at] it, and whither he was hurt be his predecessour. 4. To take diligent inquisitioun, not only be report of ye beneficit person himselfe, but be v^rs y^e knowes, q^t just valour of ye benefice was worth or payit of old in ye best estate. 5. Q^t ye samein wald extend to [exceid] in zeirle rent of [or] teyndis, or vy^r wayes if it were frie of tacks, and in a ministers awin hand. And, if neid beis, y^t ye p^brie or comissioner[s] call [take] ane inqueist of men of best knowledge in ye countrey about, to declare ye veritie heirin, and send ye samein to ye judges appointit in due tyme, with ye heale circumstances befor rehearsit.

LIFE OF ARCHBISHOP BOYD.

APPENDIX No. I.—See pages 211, 212.

ARTICLES PROPOSED BY THE REGENT TO THE GENERALL ASSEMBLY, 12 AUGUST, 1573. [CALDERWOOD'S MS. HISTORY IN THE LIBRARY OF THE CHURCH OF SCOTLAND.]*

The same day Alexander Hay, clerk to the secret counsell, presented certain heads proponed be my L. Regents G. to the present Assembly, the tenor whereof followeth:

THE SUM OF THE REPORT TO BE MADE TO THE GENERALL ASSEMBLY,
AT HALYRUDHOUSE, THE 12 DAY OF AUGUST, 1573.

My Lord Regents G. even as he accepted on him the regiment, began to espie and consider the corruptions and abuses entered in the order of the collectorie, and to remember the sundrie sutis made be the ministers of the Kirk in diverse Assemblies, to have certain assignation made to them of their livings and stipends in places most ewest and commodious to their residence, and herewithall being careful how the article accorded upon at Leith should take effect, viz., that the worthy and qualified ministers and preachers might be planted and distributed throughout the whole realme, and the readers specially appointed at every speciall Kirk where conveniently it might be; his G: sensyne at sundry diets travelled with the Kirk and their commissioners for perfection of this so godly and necessar a purpose, and, be diligent labours, the names and numbers of the paroch Kirks are collected, and the ministers and preachers present distribute among them, while it shall be Gods good pleasure to raise up moe worthy and qualified persons, zealous and willing to enter on that function, who from time to time shall, God willing, be sufficiently placed and provided to comfortable livings.

* This article is not among the Wodrow MSS. in the Glasgow University Library.

The stipends be common consent are modified, and certain assignations to be made for payment of the same out of the rents of the thirds of the benefices, common kirks or benefices, newly provided since the Kings coronation, beginning the order of payment of the fruits now growing on the ground.

The minister shall alwise be first provided, and to that effect, where need be, the assumptions of the thirds of prelaties, and others great benefices altered, and the assignations of the ministers and readers stipends taken of the first and readiest duties of the Kirk and parochine where they serve, out of the hands of the tacksmen, or such of the parochiners as they themselves shall choose to be debtors unto them. And in case any thing now assigned be before disposed or provided in pension, portion, or otherwise, wherethrough the payment may appear uncertain and doubtfull, they shall have another sure and special assignation out of some other part of the third of that benefice, or otherwise in some place where it may be most commodiously had, to their contentment, and letters granted for execution hereof in due form as effeirs.

Item, my Lord Regents G. minds with all convenient expedition that qualified persons shall be promoted to the bishopricks now vacand, the delay whereof hath not been in his G. own default, but be reason some interest was given to these livings in favours of certain noblemen before his acceptation of the regiment, yet his G. is persuaded that qualified persons shall specially be presented, and, in case of failie, will not fail without the others consent to present.

And in this mean time it was contented that such Superintendents and Commissioners as the Kirk shall be content with or shall appoint, continue in their charges as before where Bishops are not placed, and have their stipends therefore, while the Bishops be admitted to their own places and offices, which shall not be retarded in his default. And forsamekle as since the reformation of religion in this realme, sundry common Kirks, and common lands, and sundry benefices are sett be the prince in feu and tacks far within the just avall and rent which they were worth and gave before the said reformation, or else in a pretended manner, as freely given be the prince in pension or gift upon the importunate sute of some persons, without consideration of any ground or right how the same might be done, no law nor Act of Parlaiment yet passing, whereby the power of setting, fewing, and disposition of the saids common kirks, common lands, or thirds, were annexed to the crown or declared to pertain to the prince, it being good reason that the ministers of the kirk should be sustained upon the rents thereof, and that the saids common lands should be applied to the help of the schools, and otherwise *ad pios usos*,

THEREFORE, Ordains summons to be libelled, at the instance of the Kings

Majestys Advocate, and of the procurators of the Kirk for their interest thereof, for reduction of the saids fews, tacks, and dispositions, wherethrough the rents of the saids commons and thirds may be goodly and rightly applied as effeirs.

It is resolved that the executions of the sentence of excommunication against persons excommunicate after the space of 40 days past, shall be presented to my Lord Thesaurer or his Clerk, who thereupon shall raise letters, be deliverance of the Lords of Session, to charge the persons excommunicate to satisfie the Kirk and obtain themselves absolved under the pain of rebellion, and, in case they pass to the horn, to cause their escheits be tane up, and also to raise and cause execute letters of caption against them, and that to be done at the Kings M. charges. Touching the escheit of excommunicate persons, where the wifes and children are faithfull, the law already made is thought good and worthy to be execute, and all dispensations dangerous and tending to the increase of contempt and disobedience.

Touching the pccuniall penalty to be raised on the resettlers of the excommunicate, because as yet there is no express law, therefore let ane article be formed hereanent against the nixt Parlaiment, and in the mean time the Kirk to use the discipline thereof against such offenders, and diligence possible shall be made for collecting and ingathering of the rents to the help of the ministers standing in doubt, and it is not thought that the uptaking of the escheits of the rebels shall prejudice them.

The order of upholding of schools in burgh and to landward would be declared in more special article.

It is thought meet the multitude of heretical books brought in this country shall be burnt, and that proclamation be sett out in strait manner, that none bring home hereticall books, nor press to sell them while they be visited in time coming, and this act to be extended in large form.

The law touching the manses and glebs is thought sufficient, if the execution of the same be duely sought.

Anent the sustaining and upholding of Cathedrall Kirks, which are paroch Kirks, the same most be done as it had wont to be before, while a new or better order be taine thereanent be the Parlaiment.

For punishment of persons that pass in pilgrimage to Wells, let the discipline of the Kirk be used against the users of such superstition, and the civil magistrate shall also hold hand to the punishment.

Lett also an article be formed and given in at the Parlaiment for law to be made against such persons as make common burial places of the paroch kirks, being commanded by the contrary.

Anent the heads and articles concerning the jurisdiction of the Kirk, they

are found very meet to be reasoned upon, whereunto my Lord Regent's G. will appoint some of the counsell to confer with others that the Kirk shall depute to this effect, so that it whereon they agree maybe confirmed in Parlaiment, and have the force of a law hereafter.

Item, seeing the most part of the persons who were Channons, Monks, and Friars within this realme, have made profession of the true religion, it is therefore thought meet that it be enjoyned to them to pass and serve as readers at the places where they shall be appointed.

To appoint a day for the election of the Bishop of Murray.

To appoint a day for the election of the Bishop of Rosse.

To appoint a day for the election of the Archbishop of Glasgow.

That the day be keeped for the election of the Bishop of Dumblaine.

Commissioners in all provinces where Bishops are not placed.

A suffragan for the Bishop of Sanct Andrews in Lothian.

That every Commissioner tarry to see the principall assignation, and order made for the payment thereof, for the weal of the minister within his charge.

[The following Act of the Privy Council was passed a few days before the date of these proposals.

ACT IN FAVOURIS OF THE MINISTERIS.

Apud Haliruidhous, Decimo Augusti, Anno. 1^m. v^c. LXXIII.

Reg. Secr. Conc.

Acta, Nov., 1572—

Dec. 1575. p. 91.

FORSAMEKILL as eftir it wes the pleasour of Almichtie God, to blisse this realme and natioun with the trew knowlege of his evangell, the ministeris and preacheouris thair of remanit langtyme vnprouidit of ony certane forme of leving or stipendis quhill the Quene moder to oure Souerane Lord, being cum hame frome France, It wes concludit, decernit and determit, that gif the ferd part of the frutis of the haill benefices ecclesiasticall within this realme mycht be sufficient to sustene the ministeris throuhout the haill realme, and support the prince to interteny and set furthwart the commoun effairis of the cuntre, failzeing thair of the thrid part of the saidis frutis and mair quhill it wer fund sufficient to the effect foirsaid tobe takin vp yeirly in tyme cuming: And thaireftir in the parliament haldin in the first yeir of the regne of oure Souerane Lord that now is, It being considerit that the ministeris had bene lang defraudit of thair stipendis, And nochtwithstanding had continewit in thair vocatioun without payment be a greit space: Thairfor it wes statute and ordanit that the haill thridis of the haill benefices of this realme sould than instantlie and in all tyme tocum thaireftir, first be payit to the ministeris of the evangell and their successouris, Providing always that the collectouris of the saidis ministeris sould make 3eirlie compt in the

chekker of thair intronission, swa that the ministeris being first ansuerit of thair stipendis appertening to euery ane of thame, the rest and superplus sould be applyit to oure Souerane Lordis vse. And now my Lord Regentis Grace, and Lordis of secreit counsale, with certane Commissionaris of the Kirk, having gravelie considerit of the corruptionis and abusis enterit in the ordour of the collectorie of the saidis thridis, and cheiflie how the bipast payment of the ministeris hes consistit in the pleasour of the collectouris, the ministerie commounlie wanting payment of thair stipends in the places quhair the thridis wer best payit, Respecting thairwithall the sindry sutes maid be the ministeris of the Kirk, in diuers thair Assembleis, to haif certane assignationis maid vnto thame of thair levingis and stipendis in the places maist ewest and commodious to thair residence, quhairin heirtfoir thay haue bene sa greittlie frustrat and disappointit. And finding the conformabill aggrement and consent of the Kirk that the qualifit and leirnit ministeris and preacheouris of the evangell, sould be plantit and distributit throughout the hail realme; to the end that as the liegis thair of is subiect to the payment of sum ecclesiasticall rentis, sa all may resseane sum frute and commoditie be the preaching and dispensatioun of the evangell amangis thame: ffor the furtherance of this sa gude and necessary a purpois, the names and nowmer of the parochie Kirkishes bene collectit, and the present nowmer of ministeris and preacheouris distributit throughout the realme, quhill it salbe Goddis pleasour to raise vp ma godlie and leirnit personis willing and zealous to enter in that functionn: As it is alwayis the meaning and intentioun of his grace, that quhen God rasis vp ma qualifit personis, thay salbe plantit be the Archebischoppis, Bischoppis, Superintendentis, and Commissionaris of all diocys and cuntreis in the places that salbe fund convenient for thame; and competent and sufficient levingis and stipendis salbe modifit, appointit and assignit to thame be the Archebischop, Bischop, Superintendent, or Commissionar of euery diocie or province Ilkane within thair awin charge, and sic of the Kingis counsale as salbe direct to accord with thame thairupoun. And quhateuir salbe assignit in the saidis stipendis, the collectour generall of the superplus sall allutirlic desist fra further craving intronission or vptaking of the same of ony termis eftir the said assignatioun. Bot the personis to quhome the same salhappin to be assignit, salhaif letres be deliuerance of the lordis of counsale and session tobe reddelie ansuerit and obeyit thair of in tyme thaireftir. And vpoun the said distributioun and planting of the present ministeris and reidaris, thair stipendis and ordinar levingis ar appointit, and certane assignationis maid, and tobe maid for payment of the same out of the rentis of the thridis of benefices newlie provydit vnto thame, or sufficientlie vtherways, begynnand the first payment of the present frutis and crop of the 3^{er} of God I^m. V^c. thre scoir threttene yeiris instant, as in the

buke contenand the particular declaratioun thair of mair largelie is expressit. Quhairfoir, and to the effect that perfyte and certane executioun may pas vpoun the saidis assignationis IT is declarit and ordanit that quhair neid is, the assumptionis of the thridis of all the prelaciis and vtheris greit and small benefices salbe alterit and the assignatioun of the ministeris and reidaris stipendis salbe takin of the first and reddiest dewiteis of the Kirkis and parrochynniss quhair thay serue or vtherwayis quhair the same may be had maist commodiouslie out of the handis of the takkismen, or sic parrochynnaris as thay sall cheis, and the remanent of the assumptionis of the thridis of the same benefice out of the partis and rowmes quhair the same wes of befor assumit, or vtherwayis quhair it may maist commodiouslie be had: quhilkis assignationis salbe registrat be the clerk of the Generall Assembly, and kepar of the register of the ministeris stipendis in his buke. And vpoun the same assignationis auttentiklie subscriuit be the said clerk, lettres salbe direct be the Lordis of Counsall and Sessioun, at the instance of euery minister and reidar, to ansuer him of his said stipend and 5eirlie leving; Contenand onelie ane charge within ten dayis as had wount to be gevin at the instance of the procuratouris of the Kirk, or collectouris of befor, gif it be assignit out of thridis, Or ellis lettres of poinding (the assignatioun being in sowmes of money) at the chois of the minister or reidar. And, gif neid be, lettres salbe grantit of arreistment and sequestratioun of the haille frutis and rentis of that parrochyn in the handis of the takkismen or parrochynnaris to remane arreistit and sequestrat, ay and quhill the possessor of the benefice mak the minister or reidar sure of thair appointit stipend, be particular assignatioun, caution, or vtherwayis as thay can aggre. And gif the appointit leving be on new provydit benefice dispoit sen the Kingis coronatioun or to be prouidit in tyme cuming, lettres in the four formes salbe grantit thairupoun as vse is. And in caise ony thing now assignit be afoir dispoit in pensioun, portioun, or vtherwayis quhairthrow the lettres of the minister or reidar may be obtenit suspendit, or befor the suspensioun gif thay get certane knowlege of this default, thay salhaif recours to crave payment and ane vther mair sure and speciall assignatioun out of sum vther part of that benefice in the same parrochyn, gif it may be had; and failzeing thair of in the maist commodious part nixt adiacent be thair awin aduise and optioun. In respect of quhilkis assignationis maid and to be maid in maner and forme, as is befor expressit, and of the gude executioun to pas heirupoun; the ministerie of the Kirk, having greit confidence of the gude will and fauouris of my Lord Regentis Grace now present, hes allowit and glaidly accordit that a collectour generall be appointit be oure Souerane Lord to the ressaie of the rest and superplus, attour that quhilk is and salbe neidfull to the sustentatioun of the ministerie, to the vse of oure Souerane Lord for supporting of the commoun and

neidfull effairis of the realme, according to the meaning of the said act of parliament, and without prejudice of the priuilege grantit thairin to the ministeris of the Kirk in ony point, Prouiding that in cais the ministerie of the Kirk, heireftir find thame selfis grevit, in war cais nor of befor, and the effect and substance of this Act not observit to thame vpoun thair supplicatioun to the King, and estaittis in parliament, or to his hienes his Regent and prevy counsale, thay salbe reponit to quhatsumeuir richt and priuilege quhilk justlie thay may clame be the said act of parliament anent the nominatioun of collectouris with the Regentis aduise. And forsaekill as sen the reformatioun of religioun in this realme, sindry commoun kirkis and landis, with the annuellis, landis, rentis and places quhilkis appertinit of befor to the freris of quhatsumeuir ordour, kynd or hew, ar set in few and takkis far within the just avale and rent, quhilk thay wer worth and gaif befor the said reformatioun; or ellis frelie gevin and disposit in piousoun or vtherwayis, vpoun the inoportune sute of sum personis without ony gude ground, rycht, or considerationn, na law or act of parliament cuir passing quhairby the power of setting, fewing, or dispositioun of the saidis commoun kirkis or landis wer declarit to appertene to the Prince; As alsua the possessoris of sum prelaciis and vtheris inferiour benefices hes ayther altogidder omittit and not gevin the rentalis of the same, or ellis hes gevin vp wrang and vntrew rentalis thairof, far within the iust avale, quhairthrow the ministerie of the kirkis belonging to the saidis benefices can not convenientlie be sustenit, and in likewise sum vtheris vpoun colorat or na titillis vptakis the rentis of certane benefices presentlie vacand, appropriand the same as temporall and prevat possessionis to thameselfis. For remeid of all quhilkis inconvenientis, Ordanis lettres tobe direct at the instance of the said generall collectour for ansuering and obeying to him of the baill frutis, rentis, and vtheris dewiteis of all the saidis prelaciis, vtheris benefices or pensionis vacand be deceis or *ipso facto* for not acknowlegeing and professing of the trew religioun, conforme to the act of parliament or vtherwayis and of all benefices and pensionis omittit and not gevin vp in rentall ay and quhill thay be lauchfullie prouidit, or sufficientlie and trewlie rentallit: And inlykemaner lettres to arreist and sequestrat all and sindry the frutis, rentis, proffeytteis and dewiteis of the saidis benefices wrang and vntrewlie gevin vp in rentall, to remane vnder arreistment ay and quhill trew and perfyte rentalis of the samyn be presentit to the said generall collectour, and sufficient ordour takin and suretie maid for sustentatioun of the ministerie of the kirkis pertening to the saidis benefices: And inlykemaner Ordanis lettres to be direct ffor ansuering and obeying of the said generall collectour of all the stipendis appointit to ministeris, and stipendis in the places quhair qualifit personis ar not zit plantit, ay and quhill thair be qualifit ministeris and reidaris placeit and admittit to the same rowmes.

And that lettres be direct for publicatioun heiroy at the marcat croces of the heid burrowis of this realme, and all vtheris places neidfull, Dischargeing all vtheris collectouris and intromettouris quhatsumeuir maid or constitute be our Sonerane Lord, or ony his Regentis or the Quene his moder in tyme bigane, And all thair substitutis and officiaris of all intromissioun with the frutis, rentis and annuellis of the superplus abone specifit: With certificatioun that quhaeuir makis payment to thame of ony part of the frutis of the yeir of God I^m. V^c thre scoir threttene yeris instant, or witsonday and martimes maillis thairof, Thay salbe constrainit to pay the same ower agane.]

LIFE OF ARCHBISHOP GLADSTANES.

APPENDIX No. I.—See page 244.

FORM OF PRESENTATION TO BISHOPRICKS, 160 6.*

JACOBUS Dei Gratia Rex Magnæ Britanniae, ffranciae et Hiberniae fideiq; defensor, dilecto nostro consiliario Domino Richardo Cockburn Juniori de Clerkingtoun, militi, nostri secreti sigilli custodi, salutem. Quia in Parlamento nostro tenē apud Edinburgh mense Decemb. anno 1597, per nos, cum avisamento trium regni nostri statuum, statutum et ordinatum fuit, quod omnes et singuli Episcopatus vacantes aut postea vacare contingentes, talibus sufficientibus et qualificatis Ministris, quos pro loco et dignitate eorundem Episcopatum idoneos esse cogitaverimus, conferantur et concedantur; ET nunc nos intelligentes Archiepiscopatum [de] A. in manibus nostris, decessu quondam B. C. novissimi episcopi et possessoris ejusdem, vacare, ac dilectum servitorem nostrum M. P. D. esse actualem ministrum, et specialiter per generalem ecclesiae conventionem nobis recommendatum tanquam spontaneum et habilem in nostris publicis negotijs et ecclesiae regniq; nostri statu inservire: IDEO nos cum avisamento fidelium nostrorum consiliariorum Jacobi Domini Balnerinoch nostri secretarij, et Magistri Joannis Prestoun de ffentunbarns, Collectoris Generalis et novarumstrarum augmentationum thesaurarij, fecimus, constituimus, et ordinavimus tenoreq; praesentium facimus, constituimus, et ordinamus dictum M. P. D. Archiepiscopum de A. dando, concedendo et disponendo sibi, durantibus omnibus vitae suae diebus, omnes et singulos fructus, redditus, emolumenta, decimas garbales, aliasq; decimas, feudifirmas, firmas, canas, custumas, casualitates, castella, turres, fortalicia, maneriei loca, domus, hortos, pomaria, et columbaria, tam infra murum et praecinctum dicti archiepiscopatus loci quam alias, ubicunq; eadem jacent, in quavis parte intra regnum nostrum Scotiae, cumq; silvis, piscationibus, terris, regalitatē burgis, omnibusq; alijs devoriis privilegiis et immunitatibus de jure eidem spectantibus aut quocunq; tempore praeterito a praedicti episcopatus fundatione spectare valentibus, una cum tota et integra superioritate et dominio regali-

* Some parts of Wodrow's blundered copy are altered from the Church's MS. of Cald.

tatis ejusdem, libera capella et cancellaria, advocacione et donacione beneficiorum ad dispositionem Archiepiscopatus de A. quovis tempore præterito existentium, et specialiter cum donacione rectoriarum et vicariarum de C, D, E, F, G, quæ sunt terræ et barroniæ dicti Archiepiscopatus, et cum integra dispositione eidem spectantium, adeo libere sicut quivis Archiepiscopus eandem ante exercuit. ET præterea nos, ex regali et libera nostra dispositione pro bonitate [bono?] et melioratione dicti archiepiscopatus, annexavimus, univimus et incorporavimus tenoreq; præsentium unimus, annexamus et incorporamus in eundem Archiepiscopatum totam et integram rectoriam de A. cum fructibus, redditibus, emolumentis, decimis, aliisq; devoriis ejusdem quibuscunq; cum mansionibus, domibus, glebis et glebarum terris ejusdem; ordinamusq; eandem omni tempore futuro partem patrimonij dicti Archiepiscopatus fore, cum potestate dicto Magistro P. suisq; camerarijs et factoribus durante ejus vita, postque ejus decessum Archiepiscopis in dicto loco et Archiepiscopatu successoribus ejusdem, intromittendi et levandi (dicto vero M. P. ejusq; successoribus ecclesiam de A. sufficientibus ministris victu competenti absq; omni alio onere ibi inservientibus providenti), AC etiam nos cum avisamento prædicto dedimus et disposuimus tenoreq; præsentium damus et disponimus dicto M. P., durante ejus vita, totas et integras tertias sive tertias partes dicti Archiepiscopatus, [?] sufficientibus ministris victu competenti absq; omni alio onere providere astringetur, ET postremo dedimus et concessimus tenoreq; præsentium damus et concedimus dicto Archiepiscopo civitates, dignitates, feuda, homagia, prioritates universitatum, scholarum et hospitalium infra limites et bondas dicti archiepiscopatus in veteribus legibus et consuetudinibus regni nostri Scotiæ permissas aut in favorem dictorum Archiepiscoporum per aliquos nostros nobilissimos progenitores Scotiæ reges quavis ætate præcedente autorizadas et defendatas, non obstante acto annexationis temporalitatis prælatiarum coronæ nostræ, quodquidem cum omnibus aliis actis et constitutionibus in prejudicium alicujus partis præmissorum tendentibus nos cum avisamento dispensamus, volumusq; præsentem expressam derogationem ijsdem efficere omnibusq; et singulis in præmissis, sicuti nos promittimus in verbo principis præsentem nostram donacionem, dispositionem, aut provisionem in proxima sessione parlamenti nostri ratificare et approbare dictumq; archiepiscopatum et integrum patrimonium ejusdem, castella, turres, domus, manerii loca, omnesq; alias devorias ad eundem pertineñ aut quæ ad eum pertinere dignoscuntur a patrimonio nostræ coronæ in dicto parlamento dissolvere. QUARE vobis consilij et sessionis Dominis stricte præcipimus quatenus literas ad instantiam dicti M. P. pro sui suorumq; camerariorum suo nomine responsione et obedientia omnium et singulorum emolumentorum, devoriarum, firmarum, decimarum garbaliū aliarumq; decimarum, canarum, custumarum, casualitatum,

tenentium, introituum, eschietarum, multurarum, molendinorum aliorumq; quorumcunq; de instante croppia et anno domini &c. [concedant?] et similiter annuatim et terminatim durante ejus vita, nullisq; alijs sub pœna cornuacionis et districtionis, cornuacionis vero literas super simplici mandato decem dierum tantummodo deligatas et deliberatas, Mandamus etiam vobis nostri secreti consilij dominis quatenus alias nostras literas et mandata pro restitutione castellorum, locorum, hortorum, fortalitorum, columbariorum, maneriei locorum, aliarumq; domorum ad dictum Archiepiscopatum pertinentium, dicto M. P. suisq; factoribus et camerarijs suo nomine, infra sex dies mandatum proxime sequenti sub pœna rebellionis, similiter traditas et deliberatas, et, si disobediri contigerit, ad denunciandum &c. vobis etc^a.

No. II.—See pages 315, 316.

PROCESS AGAINST DR. ALEXANDER GLADSTANES, BEFORE THE PRESBYTERY OF ST. ANDREWS, &c. [WOD. MS. ADVOCATES' LIBRARY, FOL. VOL. 62, 27, 8 (M. 6. 13.)]

At St. Andrewes, the 17 of October, 1638 yeares.

THE quhilk day after incalling of the name of God, compeirit personallie Androw Bruce of Earlshall younger, Robert Hamiltoun of Kinkell, and David Aytoun of Kinaldie younger, and gave in ane complaint to the brethren of the Presbiterie solemnelie conveined, in their owne name and in the name of all who will adhere to their complaint against Mr. Alex. Gladstanes, minister at St. Andrews, qⁿin was alleadged that the said Mr. Alex. hade verie farre misbehaved himselfe both in his lyfe and calling, carying himselfe nowayes as the minister of Christ, especiallie in thir particulars following: They alleadged that he was so overtaken with the sinne of drunkennesse, that it was his ordinarie trade of lyfe to drink in tavernes day and night, till that oft tymes it behoved him to be carried home through the streets, he not being able to goe himselfe; and that sometymes he came to the pulpit with sik distemper, be reason of his drinking, that he forgate the reading of a text, and skarse knew what he spake or did. And that he did diverse tymes come from the taverne drunk to administrat the sacrament of baptisme, and solemnize the band of mariage.

The said compleinars also alleadged that doctor Alex. Gladstanes, in ane

sermon did affirme that it was more lawfull to pray for such as hade lyen 500 yeares in hell then for certaine persons of his congregation who were visited be the plague of pestilence. That in baptisme he vsed the signe of the crosse. That in his publict rayllings from pulpit against some of the cheife honest men of the toune of St. Andrewis, he called them Jackinaipes, Babounes. That he taught from the pulpitt on the Lords day, that the excrements of the Romish Religion and Jesuites learning was better then the quintessence of ours, though it were squized in a limbeck. And that the blessed reformers of religion were bot a handfull of sillie bodies, and in effect the deformaters of religion. That upon the sabboth after the covenant was suorne to, in the Kirke of St. Andrewis, he avouched from pulpit that these who had suorne and subscryved the covenant, were all perjured pultrones and perjured bitches. And that at ane vther tyme he said from pulpit also, that they hade all runne lyke a companie of mad dogges lett out of a kennell to subscrywe the covenant; that he denounced great judgements against the subscryvers of the covenant, and said he hoped shortlie to sie the day q'in they sould be knocked doune, at the behalding q'of he wold be glad and rejoyce. And that when the people, much moved with his spytefull railings, did ryse and remove themselues out of the Kirke, he cryed after them, Stay perjured pultrones and whores and take your coquet with yow. And that q'le the magistrates of the citie of St. Andrewes asked of him q'for he refused to preach on Tuesday, it being his ordinarie preaching day, his ansuere was in these words: God nor my tongue cleaue to the rooffe of my mouth, if ever I shall preach in St. Androis on a worke day, notwithstanding q'of he did contrair to his oath preach upon such worke dayes as he thought fitt, but hes this long tyme bypast deserted the same altogether.

The saids compleinars also alleadged that he was verie slacke in the exercise of discipline in the censuring of fornicatours and adulterers delated unto him. And that without anie warrand from the Presbiterie or consent of his aune session, he caused pull doune the seattes appoynted for the people to sitte upon at the communion tables, and refused to giue the sacrament of the supper to such as wold not kneil therat in the act of receaveing. That furiously he came with a suord threatning to bereave his neighbour of his lyfe, and that, without anie ordinance of the Kirk, he embraced, defended and reade publicklye in the pulpitt the latte service booke.

That the said D. Alex. did practise kneilling at the communion befor their was anie pretext of law for the samine. And that the said D. Alex. haveing receaved the soume of 692 lib. 4s. from the ministeris of the Presbiterie collected in their severall paroches for the releife of the distressed ministers of the Palatinat, he, being moderator of the Presbiterie for the tyme, hes detained the

same verie sacrilegiouſlie from that pious vse. And that the said D. Alex. haueing preached, at the visitation of the Kirk of Kingsbarnes, a most railling and impious sermon, went to the coast syde, q^r, haueing spent the rest of that weeke in excessive drinking, came home on saturday, being the day of the preparation for the communion, q^lk was to be celebrate upon the morne, and went so drunke to the pulpitte that he forgott his text and fell out in a most pittifull railling against the reformers of religion :

Quhilke complaint being reade, the Presbiterie ordaines the said D. Alex. Glaidstanes to be summoned before them to the nixt Presbiterie day, notwithstanding he had beine summoned befor and did not compeir.

Vpon the 24 of October, 1638, the said doctor Alex. Glaidstanes, being summoned, compeired befor the Presbiterie, and did profess, as it seimed, in a verie submisſe and humble maner, that he acknowledged the Presbiterie to be his verie lawfull and competent judge. And said that without prevarication he wold in all humilitie submitt himſelfe vnto q^sumever censure they wold be pleased to putt vpon him. And as for the particular complaint giuen in against him, he desyred that he might be heard to ansuere to it in the afternoon, in the new colledge scoolls. Q^lk desyre the Presbiterie granted, and did nominat a certaine number of their brethren to that effect. Befor the whilk brethren the said D. Alex. did compeir in the afternoone that same day, and did confes his excessive drinking in the generall; vther things he denied. The complainars insisting in their persute, and the brethren not receaving satisfaction be the ansuere of the said D. Alex. he was summoned *apud acta* to compeir befor the Presbiterie the nixt day of their meitting, whilk he promised to doe.

Vpon the 31 of October, 1638, compeired the said D. Alex. Glaidstanes befor the Presbiterie, and desyred the brethren to nominat some of their number to travell betuixt him and the toune of St. Androis, to assay if, be a private dealling, matters might be so composed as that he were not forced to abyde the extremitie that the bill giuen in against him did import. The Presbiterie granted this desyre also, and delegated a number of the brethren to take paines in the busines; and to this effect their were severall dyetts of meitting apoynted both that same day, and upon the morne thereafter, being the first day of November. All q^lk meittings and dealling taking no effect, the said D. Alex. was summoned *apud acta* to compeir the nixt Presbiterie day, and the complainars ordained to bring their witnessis for probation of their bill.

Vpon the 7 of November, 1638, compeired the said complainars befor the Presbiterie and gave in ane addition to their former complaint, qⁱn was alleadged that the said D. Alex. Glaidstanes, in a discourse of his to some gentle-

men commending the Practise of Pietie and the author theroff, vttered thir words, that he was assured that the author of that booke was damned in hell for wrytting of it, because the booke hade made all the ladies in Scotland puritanes, and qⁿ some that were present did take the defence of these he callit puritanes, saying they were such as feared God truelie, and did stryve to giwe testimonie of the same to the world, the said Doctor in a most bitter maner said, for himselfe he [had] rather renunce God then be a puritane. As lykwyse they alleadged that it was well enough knowne to the brethren of the Presbiterie what lordlie authoritie and preheminance the said Doctor exercised during the tyme that he was moderator of the Presbiterie and what were his minacings and raillings against the brethren of the Presbiterie.

The whilk day also compeirit James Ro'sone in St. Androis, and in name of the said doctor Alex. gaue in ane declinatur, qⁿ the said D. Alex. declined the Presbiterie as not being his competent and lawfull judge, and protestit if the Presbiterie did proceid against him, the samine to be null and of no effect, it being done, as he alleadged, *a non habente potestatem*; qlk declinatur the Presbiterie repelled and resolved, notwithstanding of the samine, to goe on in the process, and so the witnessis were callit in, who being manie and verie famous honest men made faith for telling the truth in the preceeding matters, according to their knowledge. And being severallie examined touching the premisses, the Presbiterie finds be their depositions all the preceeding crymes both in calling and conversation alleadgit in the complaints against the said D. Alex. Gladstanes to be clearelie and sufficientlie proven in everie poynt. And, becaus both of the neare approaching of the Assemblie and the weightnesse of the busines itselfe, the Presbiterie did referre the matter to the said Assemblie, and did summonnd the compleinars *apud acta* to compeir thereat. And ordained a summonnds to be direct for citing of the said D. Alex. to compeir befor the said Generall Assemblie to be halden at Glasgow, the 21 of November, in this instant 3eir 1638.

Extract furth of the register of the Presbiterie of St. Androis, be me Mr. Thomas Black, clark y^r to vpon the tent day of November instant, 3eir forsd at their command.

M. T. BLACK Clark to the Presbytrie.

[Indorsed] Proces against D. Alex. Gladstaines, begune Octob, 17, 1638.

WPONE the aught and tent dayes of November, 1638 3eires, I Johnne ffairfull,

in Sanctandrois offit lawfullie summond Doctouris Alex. Glaidstanes, Archedeane of St. Androis, George halyburtone persone of Craill, and patrick panter ane of the maisteris of the new college of St. Androis, To compeir at Glasgow befoir ye Generall Assemblie, the tuintie ane day of November, to ansuer to sic ȝingis as salbe proponit aganis them. And yis I did befoir yir witnessis reȝue, williā adamsone tailȝeour in St. androis, Thomas murray, Androw Gautoun tailȝeouris, Joⁿ. fermo^t in craill, George kincragie belman in craill, and Robert key hammerman in anstruther. And for the mair werificatione of yis my executione, I haue sub^t ye samyn with my hand, my stampt is heirto affixt.

(Sic sub^t) JOHNE FAIRFULL Officr w^t my hand.

REVEREND BRETHREN, forsamekle as I doctor alex. Glaidstanes, Archdeane of St. Androis, hes bene summondit to compeir befoir yow this day to ansuer to such things as ȝe wer to lay to my charge, which desire, if it haid bene for any brotherlie conference or resolution, I culd willinglie obtempered the samyn; but since ȝe intend ane juridict processe against me, I cannot in conscience but declyne your pretendit authoritie, in respect that at my admission to the ministerie I did acknowledge no wther ecclesiastik judicatorie but wherein my ordinarie the Archbishope of St. Andrews himselff, or ane delegate by him, did proceid, To whose obedience and censure I am yit obliged both by promise and oath only, and the same authoritie remanes full in the persone of the said Archbishope, and I stand still tyed by oath to the forsaid obedience, and since the tyme of my admission the lawis of the church and kingdome, by vertue q^of the said Archbishope doth and did exerce the said power and function, ar as yit in force onannulled or abrogat, or by the establishment of any wther contrare jurisdiction maid voyde, I cannot resile therefra but decline, and be thir presentis declynis all wthers pretendit jurisdictions, and this of youris in particular being prejudicall and derogative to the former. Moirouer since the alledgit Judicatorie befoir which I am cited, was never knowne to me, or was exercised ever since my said admission and long befoir, neither since by any sanction civile or ecclesiastick re-established, I cannot be lyable to compeir befoir the samyn. Wherefoir for these reasonis and wtheris which may be alledgit, dois simple refuse and declyne yo^r pretendit jurisdiction, q^of ȝe was never in use nor possession of me nor no wther of my qualitie, but in maner forsaid the ordinarie himselff preceiding or his delegate in all the meittings of that kynd. Wherefoir in respect of the premissis, I protest that, if it sall happin yow to proceid agaynst

me (which I suspect not), the samyne to be null and of no effect, it being done a non habente potestatem.

(Sic subr.)

*Paulstans Archdeacon of St
andros*

[Indorsed on cover.] The Archdeans declinator, pducit 7 November, 1638.
Declinature of D. Alex. Gladstanes, product Novē. 7, 1638.

ANENT the proces of docter Alex. gledstanis minister at St. androis, deduced by Andro bruce of erleshall, 3ounger, ro. hamiltoun of kinkell, and david aytoun of kinaldie, 3ounger, befoire the Presbitrie of St. androis, against ye said docter alex. gledstains for certane poyntis of erroneus doctrine, callumnious and railing speiches, and for certane wther miscariages, abuses and innormities, done and committed be him in ye exercise of his calling of the ministrie, viz. Imprimis, That he was so overtakine with the sinne of drunkennes, that it was his ordinarie tred of lyf to drink in taverns day and night, till yat oft tymes it behoved him to be carried home throug the streitis, he not being able to goe himselff, and yat sometymes he came to the pulpit with sik distemper be reasone of his drinking, that he forgot ye reading of a text and scars new what he spak or did, and yat he did divers tymes come from the taverne drunk to administrat ye sacrament of baptisme and solemnize the band of mariage. Item, ye said docter alex. gledstains in ane sermon did affirme yat it was more lawfull to pray for such as had lyen 500 yeares in hell, then for certane persons of his congregatioun who were visited by the plaig of pestilence. That in baptisme he used the signe of the crosse. That in his publict railingis from pulpit against some of the cheif honest men of ye toun of St. Androis, he called them Jackinapis, Babounes. That he taucht from the pulpit on the lordis day, that ye excrementis of the Romish religion, and Jesuitis learning was bettir then the quintessence of ouris, thocht it were squized in a limbeck; and yat ye blessed reformers of religion were bot a handfull of sillie bodies, and in effect ye deformaters of religion. That upon ye sabboth efter ye covenant was suorne to, in ye kirk of St. androis he avouched from pulpit yat these who had suorne and sub^t ye covenant were all perjured pultrons and perjured bitches, and yat at ane wther tyme he said from pulpit also, yat yai had all run lyk a companie of mad doggis let out of a kennell to subscribe the covenant. That he denounced

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pducit ye 7 of November,

great judgmentis against ye subscrivers of ye covenant, and said he hoped shortlie to sie ye day qⁿin yai sould be knocked downe, at ye beholding q^of he wold be glaid and rejoyce, and y^t when the people much moved with his spytfull raillings did ryse and remove y^mselfis out of ye Kirk, he cryed efter y^m, stay perjured pultrones and whores and tak your coquet with yow. And qlle [quhen?] ye magistrates of ye citie of St. androis asked of him q^ofoire he refused to preache on Tuesday, it being hes ordinarie preaching day, his ansuer was in these wordis: God nor my tung cleave to ye ruif of my mouth if ever I sall preatch in St. androis on a work day. Notwithstanding q^of he did contrair to his oath preaching wpon such work dayes as he thought fit, but hes yis long tyme bypast deserted the same altogidder. Item, he was verie slack in ye exercise of discipline, in ye censuring of fornicators and adulterers delated unto him, and that without any warrand from the Presbitrie, or consent of his owine sessione he caused pull down ye seatis appointed for ye people to sit wpon at ye commvnion tables, and refused to geive ye sacrament of ye supper to such as wold not kneill y^tat in ye act of receaving. That furiouslye he came with a suord threatning to bereave his nychtbourne of his lyfe. And yat without any ordinance of ye Kirk he embraced, defended and read publictlye in the pulpit ye late service book. Item, the said docter Alex. did practise kneilling at the communion befoire thair was anie precept of law for ye samine. And yat ye said docter Alex. haveing receaved ye sowme of 692 lib. 4s. from the ministers of the Presbitrie, collected in y^t severall parochins for the releife of the distressed ministers of the Palatinat, he, being moderator of the Presbiterie for ye tyme, has detained ye same verie sacrilegiouslie from yat pious use. And yat ye said docter alex. haveing preached at ye visitation of the Kirk of Kingis barnes a moist railling and impious sermon, went to ye coast syd qⁿ haveing spent ye rest of yat weik in excessive drinking cam home on Saturday, being ye day of ye preparation for ye communion, q^lk was to be celebrat wpon the morne, and went so drunk to ye pulpit yat he forgot his text and fell out in a moist pittifull railling against ye reformers of religion. Item, ye said docter alex. gledstains, in a discourse of his to some gentilmen comending ye Practise of Pietie and ye author y^of, wttered yir wordis, yat he was assured yat the author of yat book was damned in hell for wryting of it, because ye book had mad all ye ladies in Scotland puritans, and qn some yat were present did tak the defence of these he callit puritans, saying yai were such as feared god trewlie and did stryve to give testimonie of ye same to the world, The said docter in a moist bitter maner said for himselfe he [had] rather renunce god then be a puritane. As lyke-ways yat it was weill enogh knawine to the bretherene of the Presbitrie what lordlie authoritie and preheminence the said docter exercised during the tyme

that he was moderator of ye Presbitrie, and what wer his minasings and raillings against ye bretherene of the Presbitrie. Lykas wpon the 7 of No^r. last, James ro'sone in St. androis, compeird in name of ye said docter allex. befoire the said presbitrie of St. androis, and gawe in ane declinator qⁿ ye said docter allex. declyned the presbitrie as not being his competent and lawfull judge, and protest if the presbitrie did proceed against him, ye same to be null and of no effect, It being done as he alleadgit a non habente potestatem;

QLK PROCES and haill particular pointis and articles abowewrittin, war sufficientlie provine against the said docter allex. gledstains befoire ye said presbitrie of St. androis, and yairefter the decisione y^of and sentance to be pronuncit yⁱntill was referrit be ye said Presbitrie to ye gⁿall assemblee then ensewing, to be holdine at Glasgow, ye tuentie ane of No^r, 1638 5eiris And ye said docter allex. law^{lie}. cited to compeir before the gⁿall assemblee the said day, to heire the sentance of the Assemblee pronuncit againes him, As at mair lenth is contined in ye said proces. AND the said mater being yis day callit befoir the said gⁿall assemblee, the saidis complinaris compeirand personallie, and ye said docter allex. gledstains oftymes callit and not compeirand, The gⁿall assemblee all in ane voice considering yat the said proces and haill poyntis and articles y^of war sufficientlie provine befoir the said presbitrie of St. androis, and y^by finding the said docter allex. gledstains worthie of deprivation, Hes deposed, and by these presentis deposesse ye said docter allex. gledstains from the ministrie, and discharges him from all preaching of the word, administrating the sacramentis, exerceing discipline, and wseing any ministeriall function in all tyme heirefter, And declares his kirk to be vacand, And incaice ye said docter allex. sall remaine obstinat j^rregolare dissobedient to yis sentance, and actes and constitutions of the gⁿall assemblee, and indavour to disswad wtheris fra y^r. dewtifull obedience, y^rto ordains the Presbitrie, and incaice of y^r. neglect ye provinciall assemblee to proceed to ye heichest censures of ye kirk against him.

NOTES.

LIFE OF JOHN ERSKINE OF DUN.

NOTE A.—THE FAMILY OF ERSKINE OF DUN. (Page 4.)

ALTHOUGH the Erskines of Dun have long been distinguished both in the civil and ecclesiastical history of Scotland, no notice of them as a family has hitherto appeared, nor, after the most diligent inquiry, has any MS. account of them been discovered. Perhaps some of their papers may have suffered during the ravages of the Marquis of Montrose, who requited the zeal of the then representative on the side of the Presbyterians, by plundering the house of Dun, in 1644. (Spalding's History, Bannatyne Club Edition, II. 275.) Whatever probability may be attached to this conjecture, the following extract from a letter of Lord Grange to Mr. Wodrow, (5 Nov., 1726,) intimates a strong suspicion that many of them were afterwards suppressed by Montrose's biographer.

"SIR, I render you hearty thanks for your acceptable letter with John Erskine of Dun the Superintendent's life; most of which I have now read, and will soon be done with it, and then give it to L^d. Dun, to whom I read the part of your letter concerning it. He believes that one Wisheart who wrote Montrose's life got many of the Superintendent's papers from L^d. Dun's own grandfather. If that man was among them, it is to be fear'd he would sink or destroy all which he conceived might do justice to the Reformation and Reformers. However, my lord promises to search for all that may yet remain that you may peruse them." (Wodrow's Corr., MS. Adv. Lib., 4to. Letters.)

Nor do the Records of the Burgh of Montrose, with which this family was long connected, throw any light on the early period of their history. These records are very imperfect prior to 1630.

In these circumstances, it was conceived that an investigation into the genealogy of the Erskines might not be out of place here, and the following list of their Charters has been obtained, through the politeness of Robert Pitcairn, Esq., from a very valuable abridgment of the Register of the Great Seal. To these a few extracts from other records have been added.

I. CHARTERS GRANTED TO THE ANCIENT FAMILY OF ERSKINE OF DUN, by THE KINGS OF SCOTLAND, EXTRACTED FROM THE ROLLS AND REGISTERS OF THE GREAT SEAL.

I. Charter of Resignation by King Robert II., in favour of Sir THOMAS

DE ERSKYNE of the whole Barony of Dun, with the pertinents in the shire of Forfar; on the Resignation of SIR ROBERT DE ERSKYNE his father. Dated at Scone, November 8, (1375,) a. r. 6. ROT. V. 9; and Registrum Magni Sigilli, Edinburgh, 1814, fol. 129.

- II. Charter of Resignation by King Robert III., in favour of SIR JOHN DE ERSKYNE, and the heirs male of his body procreated, or to be procreated, whom failing to the said Sir Thomas and his heirs whomsoever, of the said Barony; on the Resignation of SIR THOMAS DE ERSKINE his father, reserving his liferent of the Barony, and the third part thereof to JOHANNA BERCLAY his spouse, and mother of the said Sir John, in case she should survive her husband. Dated at Lynlithgow, October 25, (1392,) a. r. 3. ROT. X. 45; and Registrum Magni Sigilli, fol. 210.
- III. Charter of Resignation in favour of JOHN DE ERSKINE, eldest son of ALEXANDER DE ERSKINE OF DWN and his heirs, of the dominical lands of Dwn, and the lands of Balwelawe, in the Barony of Dwn and shire of Forfar; on the Resignation of the said Alexander, who reserved to himself and to JONET, his spouse, their respective liferents. At Edinburgh, January 28, 1449. LIB. IV., 101.
- IV. Charter of Resignation in favour of JOHN DE ERSKINE, above designed, his heirs and assignees, of the Barony of Dwn; on the Resignation of the said Alexander, reserving his liferent. The same date. IV., 102.
- V. Charter of Resignation in favour of JOHN ERSKINE OF DVNE and his heirs, of the lands of Ballandro, in the shire of Kincardine; on the Resignation of Robert Mortimer. At Edinburgh, July 19, 1468. VII., 39.
- VI. Charter of Confirmation of a Charter of Sale granted by Jonet Lichtoun, daughter and heir of the deceased David Lichtoun of Balkasky, dated at Brechine, June 13, 1480, in favour of JOHN ERSKIN OF DVNE, his heirs and assignees, of the lands of Balkasky, in the shire of Fiffe. At Edinburgh, June 21, 1480. IX., 14.
- VII. Charter of Confirmation of a Charter of Mortification, [dated 'apud maneriem de Dvne,' March 10, 1490,] made be JOHN ERSKEN OF DUN, [Mariota Grahame his spouse, and John Erskin, younger, their son and fiar of Dvne,] to a Chaplin in St. Andrew's Kirk of DUN, [the parish Kirk, of St. Andrew the Apostle, of Dvne,] at the MARY ALTAR, of sundry annualrents of twenty shillings yearly; and of two crofts of land and tofts thairof, lying in Kincardine, (in

the Mernes,) viz., the Chapel thairof, particularly designed in the Charter; with an other croft, and an annual rent of six merks out of his house of Montrose, in the Murray Street; and an annual rent of twenty shillings out of the said tenement of John Erskin, elder, and another of thirteen shillings out of his tenement called the Sey-house, in the said burgh, 21 May, 1491, Registrum Magni Sigilli, XII., 302.—*Milne's MS.*, Advocates' Library, Jac. V., 8, 8.

- VIII. Charter of Confirmation of a Charter of Sale by Robert Lundy of Benhame, '*filij legitimi et carnalis*' of Sir John Lundy of that ilk and Isabell Forestare his spouse, dated at Montrose, July 22, 1495, with consent of the said Sir John and Isabell, in favour of ISABELL ERSKIN, '*filie carnali*' of JOHN ERSKIN *senior of Dvne*, her heirs and assignees, of the lands of Tulloche of Benhame, in the Barony of Benhame and shire of Kincardin. *Mr. Robert Erskin*, and *Alexander Erskin* are witnesses to the Charter of Sale. At Striueling, August 14, 1495. XIII., 177.
- IX. Charter of Confirmation of a Charter of Sale granted by Mr. Patrick Stratoune of Rynde, burgess of Montroise, dated at Montroise, February 27, 1495, in favour of JOHN ERSKIN OF DVNE, his heirs and assignees, of the eighth part of the lands of Logy-Montroise, in the shire of Forfare. At Cowper, Mar. 9, 1495. XIII., 219.
- X. Charter of Confirmation of a Charter of feu-farm granted by Mr. Patrick Pantere, Secretary to King James IV., Rector of Frederesso (Fetteresso, in Kincardineshire,) and Preceptor of the Hospital of the Virgin Mary, near the burgh of Montrose, dated at Edinburgh, Aug. 14, 1507, in favour of JOHN ERSKYN OF DVNE, his heirs and assignees, of the lands of Spittaleschelis, belonging to the said Hospital, in the shire of Kyncardin; on the Resignation of the said John: reserving the parsonage and vicarage teinds, &c., paying yearly 5l. 6s. 8d. of feu-farm. At Edin. Aug. 14, 1507. XIV., 369.
- XI. Charter of Confirmation of a Charter granted by JOHN ERSKIN OF DVN, dated at Dvn, June 21, 1508, in favour of JOHN ERSKIN, his son and heir apparent, and MARGARET RUTHVENE, COUNTESS OF BUCHANE, spouse of the said *John Erskine, younger*, in joint fee, and to the heirs male lawfully procreated or to be procreated between them, whom failing to the heirs whomsoever of the said *John Erskine senior*, of the sunny half of the lands of Belweloche, and the sunny half of the lands of Glaskennoche, with the entire miln thereof, in the barony of Dvn, paying yearly to the King the

- services of ward and relief. Among the witnesses are THOMAS and ALEXANDER ERSKINES, brothers german of *John Erskine senior*, and Sir David Wicht, Vicar of Dyne. At Perth, Aug. 30, 1508. XV., 29.
- XII. Charter of Confirmation of a Charter of Sale by JOHN ERSKIN, Baron of the barony of DVNE, dated at Montrose, April 23, 1510, in favour of Mr. George Striueling of Breklye, and Margaret Dalglesche his wife, &c., of the lands of Balgasky, in the shire of Fife. Among other witnesses, Walter Lindesay, son and heir apparent of Sir David Lindesay of Edzell, knight, and Walter Lichtoune of Vllishawin (Ullshaven), alderman of the burgh of Montrose, occur. At Edinburghe, May 6, 1510. XV., 181.
- XIII. Charter of Confirmation of a Charter of Excambion granted by Alexander Lamby of Drumbenny, (Drumkenny?) dated at Edinburgh, June 17, 1510, in favour of Robert Lord Erskin, his heirs and assignees, of the lands of Cambisbarroune, in the shire of Stirling, with the patronage, &c., of the chapel thereof; in excambion for the lands of Newtoune, in the barony of Balmakelly and shire of Kincardin. One of the witnesses is JOHN ERSKIN OF DVN. AS ALSO of a Charter of sale by JONET LICHTOUNE, '*domine de Quhitefeild et Petdynneis*,' dated at the manor place of Dyne, June 8, 1510, in favour of Robert Lord Erskine, and Isobella Campbell '*sponse sue moderne*,' in conjunct fee, and to their heirs, &c., of the lands of Petdynneis, in the shire of Fife. Among the witnesses are JOHN ERSKIN OF DVNE, Walter Lichtoune of Vllishavin, Mr. George Striueling of Brekley, ROBERT ERSKIN, '*filio meo et herede apparente*,' and *Alexander Erskin*. At Edinburgh, June 20, 1510. XVI., 48.
- XIV. Charter of Apprising in favour of JOHN ERSKIN OF DVNE, and his heirs, of half of the lands of Balfoure, a quarter of the lands of Balconnale, and the one merk land of Rummys, in the barony of Menmure and shire of Forfare; which formerly pertained to Walter Cullesse of Balnamone, and were appraised by the said *John* for three hundred merks due by the said Walter; with power to redeem within seven years. At Edinburgh, July 15, 1510. XV., 214.
- XV. Charter of Confirmation of a Charter of Excambion by Robert Lord Erskin, dated at Edinburgh, June 17, 1510, in favour of Alexander Lamby of Drumcany, his heirs and assignees, of the lands of Balmakelly, in the shire of Kincardin. Among the witnesses are SIR JOHN ERSKIN, knight, his son and heir apparent, and Thomas Douglase of Auchinrothi. At Edinburghe, March 27, 1511. XVI., 60.

- XVI. Charter of Confirmation of a Charter of Sale granted by Robert Gledstanis, dated at Edinburgh, November 5, 1512, in favour of JOHN ERSKINE OF DVNE, his heirs and assignees of an half of an eighth part of the lands of Crag, in the shire of Forfare. At Edinburgh, November 5, 1512. XVIII., 106.
- XVII. Charter of Confirmation of a Charter of Sale by David Earl of Craufurd, Lord Lindsay, dated at Fynnevin, April 30, 1525, in favour of JOHN ERSKIN OF DVN, his heirs and assignees, of the customs of Montrose, in the shire of Forfare. Paying yearly to the Earl and his heirs a silver penny, in name of blench farm. At Edinburgh, September 14, 1526. XXI., 87.
- XVIII. Charter of Resignation in favour of JOHN ERSKIN, son and heir apparent of *John Erskyn of Dune* and his heirs, of the lands and barony of Dwne, with the castle, &c.; on the Resignation of the said *John Erskine senior*. Reserving his liferent and his wife's * terce. At Edinburgh, February 18, (1534) a. r. 22. XXV., 344.
- Apud Dundee, 8 March, 1537. Preceptum Litere JOHANNIS ERSKIN DE DUNE, faciendo eum Custumarium burgi de Montros, &c. Reg. Secr. Sig. XII. 65.
- XIX. Charter of Confirmation of a Charter of feu-farm by *John Erskine* liferenter of *Dune*, Provost of the burgh of Montrose, and the bailies and community thereof, dated Jan. 4, 1541, in favour of JOHN ERSKIN ffar of DVNE, his heirs and assignees, of their lands lying between the Glenburne, &c., in the shire of Forfare: Paying yearly ten merks, &c. At Striueling, Jan. 31, (1541) a. r. 29. XXVIII., 172.
- XX. Charter of Confirmation of a Charter of feu-farm granted by *Sir Thomas Erskine of Brechin*, secretary to King James V., dated at Edinburgh, February 9, 1541, in favour of JOHN ERSKIN OF DUNE, 'nepoti suo,' his heirs and assignees, of a half of the lands of Arrot and miln thereof, and also of the half of the lands of Lichtounhill, in the barony of Brechin, and shire of Forfar. Paying yearly to the said *Sir Thomas* and his heirs 13l. 6s. 8d., and 3l. 6s. 4d., in augmentation of the rental; and furnishing two footmen with 'halkirkis' and 'pikkis' to serve in the King's army, when required, &c. At Falkland, February 15, 1541. XXVIII., 78.
- XXI. Charter of Confirmation of a Charter by *Sir Thomas Erskine of Brechin*, Secretary to King James V., dated at Edinburgh, February 9, 1541, granting to JOHN ERSKIN OF DUNE, senior, 'nepoti suo,'

* Her name does not appear in the Charter.

in liferent, and to JOHN ERSKIN his son and heir apparent, *fiar of Dun*, in fee and heritage and to his heirs and assignees, the office of constabulary of Montrose, and lands, fishings, &c., thereto pertaining. At Falkland, February 15, 1541. XXVIII., 249.

November 6, 1541. Officium Constabularie de Montros THOME ERSKIN DE BRECHIN militi. Reg. Secr. Sig.

- XXII. Charter granted by King James V. '*familiari scrutori suo*' JOHN ERSKIN *senior*, liferenter of DUN, in liferent, and to JOHN his son and heir apparent, *fiar* thereof, and the heirs male procreated and to be procreated of his body, whom failing to his nearest and lawful heirs male whatsoever, bearing the name of Erskine, whom failing to his nearest and lawful heirs female whomsoever; the lands and barony of Dwnne therein fully specified, the office of constabulary of Montrose, with the lands, fishings, &c., thereunto pertaining, and commony in the Muir of Montrewmond; on their mutual Resignation. Reserving the third part of the said lands and barony to any lawful spouse of the said John Erskine senior, who might happen to survive him, in liferent. At Striueling, April 13, 1542. XXVIII., 181.
- XXIII. Charter of Confirmation of a Charter of Sale granted by *Sir Thomas Erskine of Brechin*, dated at the city of Brechin, September 20, 1543, granting to JOHN ERSKINE OF DUN, '*nepoti suo*,' and BARBARA BEIRLE his spouse, in conjunct fee, and the heirs male procreated and to be procreated of their marriage, whom failing to the nearest lawful heirs whatsoever of the said John, the lands of Kirkbuddo, in the shire of Forfar. At Edin., Oct. 8, 1543. XXX., 13.
- XXIV. Charter of Confirmation of a Charter of Sale granted by John Earl of Buchquhane (Buchane), Lord Ouchterhouse, dated at Dvn, March 13, 1548, in favour of JOHN ERSKIN, *liferenter* OF DUN, in liferent, and to WILLIAM ERSKINE his son, his heirs and assignees, in fee, the lands of the town of Shirreffbank, in the barony of Kynawtie and shire of Forfare. At Edin., Mar. 28, 1549. XXX., 425.
- XXV. Charter of Confirmation of a Charter of Sale by *John Erskine*, Baron of the barony of Balhaggartie, dated at Dun, January 10, 1555, in favour of JOHN ERSKINE OF DUN, his heirs and assignees, of the lands and barony of Easter Brechin, *alias* Wester Morphy or Morphy-Fraser, viz., Manis, Petbidlie, with the cruives and salmon fishing thereof on the water of North-Esk, and with the outsets, &c., the lands of Cantirland, with the manor place thereof, and the lands of Kynnard; together with the superiority of Lumgar, with the

lake and fishing thereof, in the barony of Easter Brechin, and shire of Kincardin; which were all united into a free barony, called Easter Brechin. To be holden of the Queen and her successors, for services of ward and relief. At Edin., Feb. 28, 1555. XXXI., 357.

- XXVI. Charter of Confirmation of a Charter of Sale by JOHN ERSKINE OF DUN, dated at Montrose, March 31, 1562, in favour of his son JAMES ERSKINE, and JONET GRAHAME his wife, in conjunct fee, and to the heirs of their marriage, whom failing to the heirs whatsoever of the said *James*, of the lands and barony of Easter Brechlyne, *alias* Wester Morphy, or Morphy-Fraser, &c., as specified in the last noted Charter. "*Robert Erskine of Nathro*," is a witness to the Charter of Sale. At St. Andrews, April 26, 1562. XXXII., 591.

December 21, 1564. Ane letter maid to JOHN ERSKIN of DUN, settand and to maill lettand to him and his subtennents all and hail the denerie of Aberdene, &c. Reg. Sec. Sig., XXXII., 120.

April 15, 1565. Ane letter maid to MAISTER JAMES ERSKIN for all the dayis of his lyf of the gift and dispositioun of all and hail the benefice of the archidenerie of Abirdene, with the Kirk of Rane and mansioun and ludgeing in Auld Aberdene. Reg. Sec. Sig.

July 4, 1566. Ane letter maid to JOHN ERSKIN of DUN, makand constituand and ordenand him thair Majesteis customar of the burgh of Montros, for all the dayis of his lyf. Reg. Sec. Sig., XXXV., 51.

January 17, 1567. Ane letter of tak maid with awise of my Lord Regent to ALEXANDER ERSKIN sone lauchfull to JOHN ERSKIN of DUN, and CHRISTIANE STRATTOUN his spous, &c., of all and hail the landis, akeris, &c., sumtym pertenening to the Blak Freiris of Montros, &c. Reg. Sec. Sig.

September 21, 1570. Ane presentation maid to MAISTER JAMES ERSKIN, presentand him to the personage of Dun, liand within the scherifdom of Forfar, &c. Reg. Sec. Sig.

March 24, 1574. Ane presentatioun maid to THOMAS ERSKIN, lauchfull sone to JOHN ERSKIN of DUN, presentand him to the personage and vicarage of Dun. Reg. Sec. Sig.

August 11, 1575. Ane presentatioun maid to JOHN ERSKIN nominatand and presentand the said John to the parsonage of Dun, liand in the Diocie of Sanct-androis, and scherifdome of Forfare, vacand be deceis of unquhill Mr. James Erskine, last possessour thairof, direct to the Superintendent of Fiffe, becaus he is next Superintendent, requiring him to admit the said John Erskine to the said personage, seing it is knawin that he is qualifcit to use the office of ministrie within the kirk of God, and to authorize him, with testimonie of his admission as cfeiris, &c. Reg. Sec. Sig.

- XXVII. Charter of Confirmation by King James VI., with consent of John Earl of Mar Regent, of a Charter of Sale by JOHN ERSKIN OF DUNE, with consent of BARBARA DE BAIRLE his spouse, dated at Leith,

January 8, 1571, in favour of JOHN ERSKIN his son, lawfully procreated between him and the said *Barbara*, and to his heirs and assignees, of the lands of Kirkbodo, and a peice of land called Hole-myln, with the corn miln '*extra torrentem*,' miln lands and multures, &c., in the shire of Forfar. Reserving the liferents of the saids *John* and *Barbara*. At Leith, January 12, 1571. XXXIII., 66.

- XXVIII. Charter of Confirmation of a Charter of Sale by JOHN ERSKIN OF DWNE, dated at Montrose, May 31, 1573, in favour of JOHN ERSKIN '*filio suo juniore*,' his heirs and assignees, of the lands of Eglischome with its pertinents in the parish thereof, and shire of Forfar, to be holden of Alexander Bishop of Brechin, his heirs, successors, and assignees for the yearly payment of 6l. 10s. of feufarm. Also Charter of feufarm granted by John Commendator of the Monastery of Aberbrothok and Convent thereof, dated at the said Monastery, April 21, 1577, in favour of JOHN ERSKINE, the younger son of JOHN ERSKIN OF DUN, procreated betwixt him and the deceased BARBARA BEWLE (BEIRLIE) his wife, his heirs whatsoever and assignees, of the shady half of the lands of Hedderwik and Claylek, in the regality of Abirbrothok and shire of Forfar, to be holden of the said Commendator and Convent, for the yearly payment of forty pence, &c. At Strineling, Aug. 18, 1585. XXXVI., 555.

- XXIX. Charter of Confirmation of a Charter granted by ROBERT ERSKINE *fiar of DUNE*, in implement of a marriage contract entered into between JOHN ERSKIN *liferenter of DUNE*, his father, and JOHN ERSKINE OF LOGY, son of the said Robert, as taking burden on them for JOHN ERSKINE son and heir apparent of the said JOHN ERSKINE OF LOGY, on the one part, and Robert Lord Altrie for himself and Margaret Keyth his lawful daughter, on the other part, (dated at Benholme and Dwn, August 25, 1588,) with consent of the said *John Erskine liferenter of Dune*, his father, dated at Montrose and Dwne, October 21, 1588, in favour of the said JOHN ERSKINE OF LOGY his son and heir apparent, in liferent, and to the said JOHN ERSKINE his son and heir apparent, grandson, '*nepoti*,' of the said Robert in fee and heritage, and to the heirs male to be procreated betwixt him and the said MARGARET KEYTH his future spouse, whom failing to the heirs male of the said *John Erskine junior* whomsoever, bearing the name of ERSKINE, of the lands and barony of Dwn, as specially therein described; as also the office of Constabulary of Montroise, with the lands and fishings, and the

duties pertaining thereto, and commonty in the Muir of Montrewhmond, &c. Reserving to the said *Margaret Keyth* her liferent of the lands of Sounshill, Taok, Pugestoun, and the fourth part of Fordese; also reserving to AGNES OGILVIE spouse of the said *John Erskine of Loggy*, her liferent of Glenskenocht and . . . , the half of Leyis, with an annualrent of twelve bolls of victual payable out of the other half thereof; also reserving to KATHERINE GRAHAME, spouse of the said *Robert*, her liferent of Balwelocht and Balnelie; also reserving to MARGARET HOPPRINGILL, *Lady of Arbuthnot*, her liferent of six chalders of victual from the three fourth parts of the lands of Fordese, not disposed to the said *Margaret Keyth*; reserving also to the said JOHN ERSKINE, father of the said *Robert the liferenter of Dune*, his liferent of the rest of the lands and barony of Dune, Constabulary of Montroise, with the advoca- tion and donation of the Chaplainry or Alterage of the Virgin Mary, within the Parish Kirk of Dwne, with the pertinents, not previously reserved to the saids *Margaret Keyth*, *Agnes Ogilvie*, *Katherine Grahame*, and *Margaret Hoppringill*; and reserving also to the said *Robert* his liferent of the said barony, office, &c., after the death of his father; and to his said father and himself the services, kanes and customs, with the letting (leasing) of the said barony. Paying yearly to the King a silver penny, in name of blench farm, on the feast of Whitsunday, if asked allenarly. At Edinburgh, May 18, 1589. XXXVII., 345.

XXX. Charter of Confirmation of a Charter of feu-farm by David Earl of Crawford, Lord Lyndesay, &c., dated at Edinburgh, May 31, 1589, in favour of SAMUEL ERSKENE, lawful son of ROBERT ERSKENE, *liferenter of DWN*, and GRISSIL FORRESTER his spouse, in conjunct fee, and to the heirs procreated or to be procreated of their marriage, whom failing to the lawful heirs and assignees of the said *Samuel* whatsoever, of the sunny half of the lands of Bonytoun and Innerarite, with the pertinents, in the barony of Innerarite, and shire of Forfar; for a certain sum of money paid to the said Earl. Paying yearly twenty merks with the '*kaynis*' and customs used and wont. At Edinburgh, May 31, 1589. XXXVII., 339.

XXXI. Charter of Confirmation of a Charter granted by JOHN ERSKYNE OF DUN, in implement of a marriage contract, with consent of *John Earl of Mar*, *Sir David Lindesay of Edzell*, *Sir James Scrymgeour of Dudope*, and *David Carnegye of Kinnaird*, his curators, dated at

Dudope, Lewcharis, and Edzell, January 3, 4, and 11, 1604, in favour of MAGDALENE HALIBURTOUN, his future spouse, daughter of *James Haliburtoun of Piteurrie*, in liferent, of the lands of Glas-kennocht; with the little miln thereof, miln lands, &c., Fordes, Somishill, Balwelo, and Pugistoun, in the barony of Dwn, and shire of Forfar; also the corn-miln of Dwn, miln-lands, &c., and especially the astricted multures of the said barony. And also, in warrandice thereof, he assigned the Mains of Dwn, with the tower, &c. At Edinburgh, January 12, 1607. XLIV., 190.

- XXXII. Charter of Resignation in favour of ALEXANDER ERSKINE OF DWNE, in liferent, and JOHN ERSKINE, his eldest lawful son and heir apparent, his heirs male and assignees in fee, (but under Reversion, on payment by the said *Alexander* to the said *John* of an angel, or ten merks, within the parish Kirk of Dwne, on twenty-four hours warning, &c.,) of the lands and barony of Dwne, therein specified, with the advocacy and donation of the Chaplainry or Alterage of the Virgin Mary; on the Resignation of the said *Alexander*, for new Infestment, &c. Providing that the said Infestment should not be hurtful to the liferent of *Dame [Magdalene?] Halyburtoun*, spouse of Sir John Carnegy of Ethy, nor to the Infestment of MARGARET LINDSAY, spouse of the said *Alexander*. At Halyruidhous, December 23, 1631. LIII., 244.

- XXXIII. Charter of Novodamus to SIR ALEXANDER ERSKINE OF DUNE, his heirs and assignees whomsoever, of the town and lands of Newbigging, as well the sunny as the shady half thereof, and also the lands of Colt and Capill, with the miln, miln-lands, &c., and the Myre and Myre-lands thereof, adjacent thereto, in the shire of Forfar. Which lands formerly pertained to *Elizabeth* and *Margaret Erskines*, lawful daughters and heiresses-portioners of the deceased *John Erskine of Newbigging*, and which they, with consent of Robert Ramsay, Burgess of Montrois, 'apparent' husband of the said *Elizabeth*, resigned, at Edin., July 17, 1637, for new Infestment, &c. At Edin., July 26, 1637. LV., 363.

- XXXIV. Charter of Novodamus by Oliver Cromwell, Protector* of the Commonwealth of England, Scotland, Ireland and dominions thereto belonging, in favour of "DAVID ERSKINE OF KIRKBUDDOE, his

* All the Charters granted during the period of the Commonwealth are in the vulgar tongue. After the Restoration, the Royal Grants were again conceived in Latin, which practice has ever since been continued.

airs and assigneyes whatsomever, of all and haill the landes and baronie of Kirkbuddoe, with houssis, &c., now occupied be the said David, and of before be the deceist *George Erskine* his father and his tennantes, within the sherefdom of Forfar. Which lands and others above specified perteaned heretablie of before to the said *David Erskine* and James Beatoun of Westhall, or ane or other of thame, holdin be thame, or ane or other of theme, immedeatlie of ws, be reasonc of the Forfaultrie of *George Lord Spynie*, who wes successour to the deceist *David Earle of Crawford*; and were resigned," &c., for new Infeftment. Moreover, the said lands were of new erected into a free barony, 'the toure, fortalice, and maner place of Kirkbuddoe to be the principall messuage.' Paying yearly 'ane pennie Scots, in name of bleush ferme.' At Edin., March 7, 1656. LIX., 243.

XXXV. Charter of Resignation in favour of DAVID ERSKINE OF DUN, his heirs and assignees whomsoever, of the lands and barony of Dun, advocation, &c., and office of Constabulary of Montrosse, as before specified; on the resignation of Robert Grahame of Morthie (Morphie), at Edin., June 20, 1667. At Edin., July 2, 1669. LXII., 106.

XXXVI. Charter of Recognition in favour of DAVID ERSKINE OF DUN, his heirs and assignees whomsoever, of the town and lands of Newbigging, as well the sunny as the shady half thereof, the lands of Colt and Cuppell (Caple) with the milns, miln-lands, &c., and the Myre and Myre-lands thereto pertaining, in the shire of Forfar. Which lands formerly pertained to the deceased SIR ALEXANDER ERSKINE OF DUX, holden by him of the King by service of ward and relief, and fell into the hands of the King by Recognition, on account of the Alienation thereof, granted by the said *Sir Alexander* to the deceased Thomas Burnett in Newbigging, Andrew his son, and Elizabeth his daughter, without the King's consent or confirmation. At Edin., Dec. 11, 1668. LXII., 4.

XXXVII. Charter of Novodamus in favour of DAVID ERSKIN OF DUN, his heirs and assignees whatsoever, of the lands and barony of Dun, &c., before described, and of the lands of Newbigging, as well the sunny as the shady half thereof, the lands of Colt and Caple, Myre and Myre-lands of the same, with the milns, &c.; on the Resignation of the said David, for new Infeftment, &c. And the King of new united and incorporated the whole foresaid lands into one entire and free barony of Dun; the tower and fortalice thereof to be the principal

message. Moreover, the King granted that whenever the barony came into the hands of the Crown by reason of nonentry, ward or relief, the said David and his heirs should only pay 200l. yearly, during the time thereof; and 400l. as a composition for the marriage of heirs. At Edin., Nov. 26, 1669. LXII., 198.

- XXXVIII. Charter of Resignation in favour of DAVID ERSKIN OF DUN, his heirs and assignees, of the lands and barony of Dun, &c., as above specified; which the King of new united into one free barony, on the Resignation of the said *David*, for new Infestment. The Charter contains the lands of Gleskennoch and Taock, the titles of which it is stated had not been exhibited at the granting of the former erections. The composition for ward, nonentry and relief was augmented to 220l.; and the marriage of heirs was taxed at 440l. At Edin., Dec. 8, 1671. LXIII., 40.

- XXXIX. Charter of Resignation in favour of FRANCIS ARSKINE OF KIRKBUDDO, eldest surviving son of the deceased DAVID ARSKINE of *Kirkbuddo* and the heirs male of his body lawfully to be procreated, whom failing to *Archibald*, *David*, *Patrick*, and *Mr. Alexander*; his second, third, fourth, and fifth brothers, and the heirs male to be lawfully procreated of their bodies, respectively and successively, whom failing to the heirs female of the body of the said *Francis* to be lawfully procreated, whom failing to the heirs female of the bodies of his said brothers, respectively and successively, whom failing to the nearest and lawful heirs and assignees of the said *Francis* whomsoever, of the lands and barony of Kirkbuddo, with the manor place, mills, fishings, &c., as occupied by the deceased *David*, and by the deceased GEORGE his father, in the shire of Forfar. Which lands formerly pertained to the said *Francis*, as heir of line of his said father *David*, and to the said *Archibald* as heir of entail of his father, at least to the deceased JOHN ERSKINE, their eldest brother; and which they respectively resigned for new Infestment, as above specified, under the reservations and provisions contained in a Disposition of Entail, dated May 11, 1582, granted by the deceased *David*, in favour of the deceased *John* his eldest lawful son, and the heirs male of his body, whom failing to the said *Archibald*, &c., as above mentioned, viz., of a certain provision in favour of ELIZABETH OGILVIE relict of the said deceased *David*, and of the sums following to his children, viz., to *Archibald* 1000l., *David* 1000l., *Patrick* 1000l., *Mr. Alexander* 1000l., *Elizabeth* 2000 merks, *Joanna* 2000

merks, and *Anna* 1000l., all Scots money, and payable at the term of Martinmas immediately following the decease of the said *Elizabeth Ogilvie*, &c. The said lands were also of new united into one free barony; and the Deed of Entail was formally ratified and confirmed. At Edin., July 24, 1691. LXXII., 164.

- XL. Charter of Resignation in favour of Mr. DAVID ERSKINE, Advocate, second surviving son of the deceased DAVID ERSKINE OF DUN, and MAGDALENE RIDDELL his spouse, for her liferent use allenary, of 15 chalders of victual and money rent, (computing 100 merks for each chaldar) of which 6 chalders to be of meal, and 3 of barley, and 600 merks in money; and that in full of the provisions contained in her marriage contract, excepting only her *jus relicte* and part of gear; and to the heirs male procreated, and to be procreated betwixt them, whom failing to the heirs male to be procreated to the said *Mr. David* by any subsequent marriage, whom failing to the daughters and heirs female of the body of the said *Mr. David* of this or any subsequent marriage, and to the heirs male or female descending of their respective bodies, whom failing to *Mr. James Erskine* elder brother of the said *Mr. David*, presently Captain in the Regiment of foot ('*duci in cohorte peditum*'), commanded by the Earl of Orkney, and to the heirs male to be procreated of his body, whom failing to *Alexander Erskine* merchant in Montrose, his younger brother, and the heirs male, &c., whom failing to the nearest heirs male whatsoever of the said *Mr. David*, whom all failing to his nearest and lawful heirs and assignees whatsoever, of the Mains of Dun, &c., &c., which the said *Mr. David*, and James and Robert Milns, senior and junior of Ballwyllo, resigned for new Infeftment, &c. May 24, 1710; with and under certain conditions of Entail, &c., therein specified. At Edin., July 25, 1710. LXXXIV., 117.

- XLI. Charter in favour of Mr. DAVID ERSKINE OF DUN, one of the Senators of the College of Justice, (LORD DUN,) and the heirs male procreated and to be procreated of his body, whom failing to the heirs female of his body, and to the heirs male or female of their bodies, whom failing to *Alexander Erskine* merchant in Montrose, his brother german, and the heirs male of his body, whom failing to the nearest lawful heirs male of the said *Mr. David*, whom failing to his heirs and assignees whatsoever, of the lands of Belhalveil or Ballhall, as well the sunny as the shady half thereof, Leithiscroft, and the new miln of Belhalveil, miln-lands, &c., and the manor

place of Balhall, with the advocacy, donation, and right of patronage of the Parish Kirk of Menmure, parsonage and vicarage thereof, in the shire of Forfar; as also the town and lands of Boigtoun, and milntoun of Belhalveil *alias* Balhall, with the Miln thereof, milnlands, multures and sequels of the said town, with the manor place of Milntoun, orchards, &c., in the said parish and shire; as also the Leys of Dun, with that part of the Muir of the lands of Balneily, now enclosed in a park and lying in the Muir of Dun; as also the lands of Fordess and that part of Soumishill nearest thereto, the salmon fishing on the water of South-Esk, pertaining to the barony of Dun, lying in the said barony and parish and shire foresaid; with the third part of the lands of Pitkerro and pertinents, in the parish of Dundee, and shire foresaid. Which lands of Belhalveil, &c., pertained heritably of before to the deceased Patrick Lyel of Balhall, and were by decree of the Lords of Council and Session, dated June 13, 1731, with all right competent to Mr. James Lyel Advocate his brother, declared to pertain to Robert Miln of Balwylo, as purchaser at the sale thereof, and were assigned by him to the said *Mr. David Erskine* by disposition, dated Oct. 2, 1722; the said lands of Leys of Dun, &c., also pertained to the said Robert Miln; and the remainder of the foresaid lands pertained to the said *Mr. David* and Robert Miln, who assigned his right thereto to the said *Mr. David* by several Dispositions, dated Oct. 7, 1720, Feb. 2, 1717, Oct. 6, 1722, and Oct. 20, 1718; and thereupon the whole were resigned for new Infeftment, on Feb. 9, 1723. Dated at Edin., Feb. 12, 1723. XC., 36.

- XLII. Charter of Novodamus in favour of Mr. DAVID ERSKINE OF DUN, one of the Senators of the College of Justice, (LORD DUN) in life-rent, and to JOHN ERSKINE, only lawful son procreated betwixt him and MAGDALENE RIDDELL his spouse, in fee, and to the heirs male to be procreated of the body of the said John, whom failing to the heirs male procreated or to be procreated of the body of the said *Mr. David* of that or any future marriage, whom failing to *Alexander Erskine* merchant in Montrose, brother german of the said *Mr. David* and to the heirs male, &c., whom failing to *Francis Erskine of Kirkbodo*, and the heirs male, &c., whom failing to *Thomas Erskine of Pitodry*, &c., whom failing to the nearest lawful heirs male of the said *Mr. David* whatsoever, whom failing to his heirs and assignees whatsoever, of the lands and barony of Dun, comprehend-

ing a variety of lands therein specified, the office of Constabulary of Montrose, with the lands, fishings, &c., pertaining thereto, the advocation, donation and right of patronage of the Parish-Kirk of Dun, the third part of the lands of Pitkerro, in the parish of Dun; with the Bridge over the North-Esk called the North-Water-Bridge, and the tolls and customs thereof, conform to Acts of Parliament, granted in the reign of King Charles II. in favour of the deceased DAVID ERSKINE OF DUN, father of the said *Mr. David*, dated in Dec., 1669, and 16 June, 1685; together also with the privilege of holding Fairs or Markets on the Muir of Dun, beginning on the second Wednesday after the feast of Whitsunday yearly, with the whole tolls, customs, and profits thereof, granted by the first mentioned Act of Parliament; as also the lands of Balhalveil, *alias* Balhall, as well the sunny as the shady half thereof, Lethencroft, and the new corn-miln of Balhall, with the miln-lands, multure, &c., the manor place of Balhall, woods, fishings, &c., with the advocation, donation, and right of patronage of the Parish-Kirk of Menmuir, as well parsonage as vicarage thereof, all lying in the shire of Forfar; the town and lands of Boigtoun and Miltoun of Balhalveil, *alias* Balhall, with the miln thereof, miln-lands, multure, and sequels of the said town, as well sunny as shady half thereof, the manor place of Miltoun, and pertinents, in the parish of Menmuir and shire foresaid; the lands and barony of Lownan, as well that half thereof formerly belonging to George Earl of Kinnoull, as the other half thereof formerly belonging to George Tyrie of Drumkilbo, comprehending Courthill, Coathill, Drumbarnet, Kankhill, Newtoun, the sunny East half of Drumbarnet, with the miln of Lownan, miln-lands, multure, and pertinents lying in the foresaid shire; as also the teind-sheaves and parsonage-teinds of the half of the said barony of Lownan, comprehending Courthill, Coathill, False-Castle, Hillhead, the half of Drumbarnet, half of the miln-lands of Drumbarnet, and half of the miln-lands of Lownan and pertinents thereof. Which whole lands and patronage lying in the parish of Dun, heritable office of Constabulary, Fairs, Markets, and Bridge with the tolls and customs thereof, the lands of Pitkerro, Balhall, right of patronage, &c., in the parishes of Dundee and Menmuir, pertained heritably of before to the said *Mr. David*, holden by him of the King by virtue of two Charters under the Great Seal, dated July 25, 1710, and Feb. 12, 1723; and which lands and barony of Lownane pertained

heritably of before to the deceased David Earl of Northesk, by virtue of a special service and retour as heir to David Earl of Northesk, his father, dated Oct. 26, 1693, precept from Chancery and Infestment following thereon, and were disposed by the said Earl to Mr. John Ogilvie of Balbignie, Mr. John Forbes of Newhall, and Mr. Alexander Baine of Rires, Advocates, by disposition, dated Feb. 12, 1723; and were by them assigned to the said *Mr. David*, March 30 and 31, 1730; and all which lands, &c., were resigned for new Infestment, in manner as above specified, under certain conditions, reservations and restrictions of Entail. And moreover, the King of new gave and granted the foresaid lands, &c., and united and incorporated them into one free barony of Dun, for the yearly payment of the various sums therein specified, and composition at the entry of heirs, &c. At St. James's, May 16, 1732. XCIII., 89.

II. EXTRACTS FROM ACTA DOMINORUM AUDITORUM AD CAUSAS ET QUERELAS AUDIENDAS.*

IN THE ACTIOUN and cause persewit be Cristiaín Lady Grahame,† aganis *JOHNE ERSKYN* of DWNE and *Dauid Grahame* of Morfy, anent the wrangwise spoliatioun and withholding of thre chalder of meile and beire, spu3leyt and takin fra hir be the saidis personis and one thair behalf, as is contenit in the summondis. Baithe the saidis partijs beand present, be thaim self and thair procuraturis, and thair richtis, resonis and allegacionis in the said mater at lenthe herd, sene and vnderstandin, *THE LORDIS AUDITOURIS* decretis and deliueris, that the saidis *Johne* and *Dauid* sall content and pay to the said *Cristian* the saidis thre chalder meile and beire spu3zeit and takin fra hir be thaim and one thair behalf, as was sufficiently prufit before the saidis Lordis. And ordanis Lettres tobe writtin to the Scheref to distren3e† thaim, thair landis and gudis for the said meile and beire, or the avale thairof, as may be preuit before him, the said meile and beire was of avale the tyme of the takin of the sammyne.

IN PRESENS of the Lordis of Consale, *JOHNE ERSKIN* of DWNE,§ has drawin him self, his landis and gudis, lawborghe|| to our souerane lord, that Maister George Striuling and . . . ¶ Scot burgesse of Montrose salbe harmles and

* Printed by order of the Record Commission, but not yet completed at Press. Edited by Thomas Thomson, Esq., Deputy Clerk Register, &c.

† Dated 13 Oct., 1479.

‡ Distrain.

§ Dated 20 May, 1491.

|| See Jamieson's Dict. voce Borghe, law-burrows, &c.

¶ Blank in Record.

scathles of him and all that he may let,* but fraud or gile, bot as law will, vnder the pain of ij^c li.

THE LORDIS AUDITOURIS decretis and deliueris,† that JOHNE ERSKIN younger, feare of DVNE, dois na wrang in the occupatioun of the Croys‡ of Montrose and fisching of the samyn in the Watter of Northesk, because the procuratour of the said Johne Erskin productit ane instrument vnder the signe of Patrik Buttergask, public notar, that the said Johne haid the said Croyis and fischin in tak of the Prouest, balzies and communitie of Montrose, and as wes grantit be procuratouris of the said toun of Montrose, without preiudice of the Act of Parliament anent the destruction of the Croyis; and also, because the procuratour of the said Johne grantit that he brokit§ the said fisching be na vther richt bot of the said toun.

III. EXTRACTS FROM ACTA DOMINORUM CONCILII. ||

IN PRESENS of the LORDIS of CONSALE,¶ it is appoyntit and concordit betuix thir partijs vnderwrittin, tuiching thair interese that thai clame to the Place and House of Inuerquhethe,** in maner as eftir folowis, and thir ar the partijs, Schir Alexander Lindesay as procuratour for Dauid Duk of Montrose, Johne Lindesay brothir to vmquhile Alexander Lord Lindsay for him self, and Andro Lord Gray as procuratour for Jonete Gordoune the spous of the said vmquhile Alexander; that is to say, that the said House and Place salbe frely deliuerit in keping to JOHNE ERSKYN of DVNE, to be obseruit and kepit be him quhill ye xxv. day of Maij nixt tocum, but preiudice of the richt of ony of the saidis partijs; and that the gudis that beis ressauit thairintill be indentit;†† and that the keparis thair of do na harm, gref nor distrubance to nother of the said partijs, nor to vther of our souerane lordis liegis in the meyntyme. And continews the mater, tuiching the said partijs richtis and interese to the said House, to the xxj. day of the said monethe of Maij,‡‡ with continuacioun of dais, in the sammyn forme and effect as it now is, but preiudice of partij; and ordinis thaim all to bring thair richtis and evidintis, sic as thai

* Hinder, prevent, restrain.

† Dated 20 June, 1493.

‡ Cruives, a peculiar engine erected in the water, used in Salmon-fishing.

§ *Bruikit*, brooked, enjoyed.

|| In the course of Publication by the Record Commission, under the Editorship of Thomas Thomson, Esq., Deputy Clerk Register.

¶ Dated 11 March, 1491.

** Inuerquharity or Inverarity.

†† Entered in Inventories.

‡‡ No farther proceedings are preserved on record.

will vse in the said mater; and all the partijs ar warnit be thaim self and thair procuratouris *apud acta*.

THE ACTIOUNE and cause,* persewit be the Prouest, balzeis, consale and comunite of Montrose aganis JOHNE ERSKIN zonger, fear of DYNE ffor the wrangwis occupacioun and withalding of the Croyis and fischin of Montrose of the Watter of Northesk, as is contenit in the summondis, is be the Lordis of Consale contenewit to the xv. day of Aprile next tocum, with continuacioun of dais, in the samyn forme and effect as it now is, but preiudice of partijs. And because Johne Erskyn allegijt, that he intromettit with the said Crovis as Tutour to Henrij Graham, quhilk was sesit of the said Crovis; and allegijt be the procuratour of the saidis Pronest, ballies, consale and communite of Montrose, that the said lesing was declarit of nain avale, and thairapone productit a Decrett of the Lordis of Consale, to the quhilk Henry and Alexander Graham his Tutour wes summond; and allegijt also, be the said Johne, that the said Alexander had vsit fraud in the said mater: The Lordis thairfore ordinis the said Johne to tak summondis one the said Alexander for his fraud, gif it plessis him;† and the partijs are summoned *apud acta*.

It is perhaps to the disputes mentioned here and in the *Acta Dominorum Auditorum* that the following documents refer. They are, at all events, interesting, as connected with the present subject :

Bill of complaint, the burgh of Montrose to King James IV., 1st October, 1493.

" Souerane Lorde, vnto your graciouss henes lamentabill menis and comenlis youre legis, the hail communite of youre burgh of Montross upone Johnne of Erskyn, eldar of Dunn, of gret crimis, accione of injuris, hurtis, dampnages, and scatheys, done til vs be him ande his folkis, batht of alde ande of nev; ande nov of late he has causit his sone Johnne of Erskyn, Master Robert Erskyn, Vat Erskyn, and Thomas Erskyn, ande otheris with thaim, to dystroy ande ete all our e corne that grew apone our e comone laude. And, tharafter incontinent, this beande done onder cilence of nycht, come bodyn with speris ande bovis to youre saide burgh, and bosit our e alderman, he beande in his bed: sayand thai suld pul done his housse abuf his hede; ande remaint to se gif ony of vs valde cum furthe till haf selane vs. Alsua, Souerane Lorde, on Sant Ninianis day last by-past, quhare our e fysebars, their vyffis ande seruandis, vare gaderynde thair bate in youre vatter, has thai haf done sene youre saide burgh vas fundit ande anteedit, he sende his folkis, and spnyleit thaim of thair claithis, and withhouldis the samyn. Ande apone thir injuris ande diuers others ve vrate to my Lord Duk of Montross, with ane seruande of our e avnc, callit John Spenss, for reformation hereof; thare cam apone him ane callit Vilyame Lyddal, dnelland with Vat Erskyn his sone, and certane folkis bushit [onbusehit?] by, and has cruelly selane our e saide seruande. And dayley ande nychtly sene syne, and of before, the said Johnne of Erskyn's folkis rydis bodyn with speris ande bovis ehakand

* Dated 9 Feb., 1492.

† It is probable that this affair had been compounded. At all events no farther entries remain on record.

and evatand vs apone the day w^outlit your toun, and apone the nycht within the toun, quhare thai may get vs at opin to stryk vs done. And has ane Innis within your saide toun, and haldis ane seruande of his within the samyn, to resaff thir saide folkis, invaderis of vs nychtly ande daly; ande sua demanis vs, that ve dar not pass na gate to exercise merchandice for danger of the saide Innis, ande dredoure of our lyffes. And has pendit folkis in the saide Innis, and schapes to battail the samyn anent your market-cross, alvterly thai throw [thairthrow?] to halde vs ande your burgh perpetually onderc subbicione. Quarfare, ve beseik your graciouss hencs of remeide, that ve may lyffe in pece, as otheris your legis ande borrovis; ande at the saide Larde of Dune, his sonis, and househalde, remane at his aune place of Dune; ande at the saide Innis that is withine your saide burgh be closit, that ve may be quyt of the danger tharoff. Ande at ve may haf your graciouss letteris direkit to my Lord Duk of Montross, your scherefs of Forfare ande Kyncardin, my lorde of Innervaeeth, and other gret barons, to suple defende vs fra the gret violence ande injuris of the saide Larde of Dune and his folkis, onto the tymn that your henes will declene to set your ayre of justry to remeid ther crimis ande injuris, with mony ande diverss otheris done of alde to your saide burgh be him ande his folkis, this xxx yeris bygane, the quhilkis ve haf in ane other writ onder our secrete seal^e; the whilk is our prolixit to shaw your heness at this tym. Bot gif it plesit the samyn at the reverance of God, to vaik tharto, the quhilk byll ve sulde haf present to your heness in your last parlyament. Ande under hope of reformation ande gude reule in tym to come, ve sessit quhile nov of nev he has broken apone vs, committand slauechter ande othir gret injuris, as saide is. And your graciouss ansuere ande deliverance herapon, mast humily ve beseik at the reverance of Almighty God, and fore theill [the weill?] of your soule. At your burgh of Montross, onder our secrete seil, the first day of October, the yere of Gode, ninety ande thre yeris."

Quarto Octobris.

"The Kingis Henes, with avis of his counsale, ordanis, that summondis be geven upon the Larde of Dune, to ansuere to his hienes upone the committing of the crimes ande iniuris within written. Ande als, that letteris be written to the schereffis of Forfar and Kincardin and thair deputis, to sereche ande seek the committaris of this slachter, and to tak souertie of thaim, ilk gentilman landit vynder ye pane of j^c libri; ilk gentilman unlandit j^c merks, ilk yeman xl libri, that thai sal comper before the kingis justice the third day of the mist justice-are of Dundee, with continuacione of dais, to vnderly the law, for this slater ande crimis; and gif thai be fugitive, or will nocht find the said souertie, that the schereffis denunce thaim the kingis rebellis, ande put thaim to the horne, and eschete thair gudis to the kingis vse, efter the form of the act of parliament. Ande als to tak souertie and lawbarrows of the Larde of Dune under the pane of V^c libri; ande of ilk ane of his sonis, vnder the pane 11^c libri; ande of ye remnant of thair complices, ilk gentilman landit j^c libri,—ilk gentilman unlandit j^c merks, ande ilk yeman xl libri, that the burgesses ande communitie of this burgh sal be harmless ande scatless of thaim ande al that thai may let, but fraude or gile, vthirwais than the cours of common law will.

"J. CHEPMANE."

Sumonds of Spulvie, Burgh of Montrose, v. Erskine of Dun, 4th Oct. 1493.

"James, be the grace of God, King of Scottis, till our scheref of Forfare ande his deputis, and to our louittis, Alexander Bannerman, James Ramsay, and Johne of Strauchachlin, and Andro Gardiner, our schereffis in that part, conjunctie and seuerallie, speciale constitut, greeting. Forsamekle as it is humily menit and complenit to vs be our louittis, the balyeis

burgessis, and communitie of our burgh of Montross, That now of laite, John of Erskin younger of Dun, Maister Robert Erskin, Walter Erskin and Thomas Erskine, with their complices, household folkis, and seruitoris to John Erskine, elder of Dun, and, of his causing, has maisterfully eite and distroit all their cornis that grew this yere upone the comone landis of our saide burgh; and incontinent thereafter, the saidis personis, with their complices bodin in fere of were with speris and bowis, come to oure said burgh vynder silenee of nycht, for the distruction and slauchter of oure leiges inhabitantis thair of, and bostit the alderman of the samyn, he being in his bed, sayand thai suld pul done his houss abone his hede. And als, quhar the fycharis of oure said burgh, thair wyffis and seruandis were now of late gadarande bait to thair lynis, in our watter, likeas thai haif vsit and done but impedymnt, sene the first foundacione of our saide burgh, the saide Johne Erskin, elder, send his scrutitoris and folkis, and spoilyeit thame of thair clathis and as yit withhaldis the samyn, and rydis bodin in fere of were nychtly and daily waitis the nychtburis of oure saide burgh, for thair vter destruction and slauchter; and haldis his folkis onbuschit in his Innis, within oure saide burgh, to invade the nychtburis thair of, in that wise that for dreid of thair lyffis thai dare nocht pass vtouth the samyn to merkates nor nain by placis, bot ar opprescit and halden vnder subiection by the saidis personis and thair complices by the committing of thir iniuris, and mony vtheris oppressiounis upone thaim, bath of ald and nev, as diuress billis and complaintis present to vs, onder the secrete sele of oure said burgh, therupon proportis, to the gret litydying and derogacione of oure autorite riall it vat parte, that is oblist to defend al oure legis fra oppressioun batlit to burgh and land within oure realme, and in evil example to vtheris to committ siclyke offenses, gif we suffer thir unpunish. Our wil is herefore, and we charge you straitly, and commandis, that ye pereumptorie summonde, warn, and charge the saidis Johne of Erskin elder, Johne of Erskin younger, Maister Robert Erskin, Walter Erskin, and Thomas Erskin, to comper before us and oure counsale at Edinburgh, or quhare it sall happen us to be for the time, the second day of Nouember nixt to cum, gif it be lauchful, and failyeing thair of, the nixt lauchful day thairefter following, in the heure of causs, with continuacione of dais, to answeere to vs vpon the committing of the saidis spoilyie, oppressiounis, and iniuris contenit in the saidis billis, upon our leiges, inhabitants [of] our said burgh batlit of auld and nev, and upone the contempcion done to our autorite riall therthrow, and in it that we sall mak be said to thame therefore, in our name, at thair cuming; and to answeere at the instance of the alderman, balyeis, burgesses, and communitie of our said burgh, for the wranguiss dystruccione of thair sadis cornis, extending to xvi bollis of aitis, with the fodcr, price viii merkis, and spoilyeing and withhalding of the saidis clathis fra the saidis fycharis, thair wyffis and sermandis, extending to the avale of v libri, and ane mast of a schip, with the tow and takle of the samyn spoilyeit fra thaim out of the havin of oure saide burgh by the saidis Johne and Johne, price xx merkis, and for the costis, dampnage, and scaitht sustenit by thaim throw the saidis oppressiounis and iniuris; and forther, to answeere to vs and to the party, in sa fer as law will, making intimaccioun to the saidis personis, that quhether thai comper or nocht, the saidis day and place, with continuacione of dais, ve will proceed and minister justice in the said mater in sa far as ve may of law, and attour that ye summond Thomas Scote, John Scote, Nycole Malcolme, Thomas Wowar and Alexander Liddale, to comper before us and our counsale the saidis daye and place with continuacione of dais, to bear lele and synthfast witnessing, in sua far as thai know or sal be sperit at thaim in the said mater, under al pane and charge that efter may follow; and attour that ye pas and tak sikkersourte and lawborrows of the saidis personis and thair complices that sal be gevin to you in bill, that the saidis alderman, bailies, burgesses or communitie, will mak faitht before you that thai dreid

bodily harm of, that is to say, of the saide Johne Erskin elder, under the pane of five hundredth pundis, and of ilk ane of his saidis sonis ye [i]e libri, and the remnant ilk gentilman landit j^e libri, ilk gentilman unlandit j^e merkis, and ilk yeman xl libri, that the saidis alderman, bailies, burgesses and comunite of oure said burgh sal be harmless and scaithless of thaim and al that thai may lett but fraude or gil, vtherwais than the cours of comone law will, and this ye do as ye will answer to us hereapone. The quhilkis to do we committ to you, coniunctlie and seueralie, oure ful power, be thir letteris, delivering thaim be you deuly execute and indorsate agan the oyt [to the ?] berar. Gevin vnder oure segnete at Striueling, the ferde day of October, and of oure regne the sext yere.

Per S. D. N. Regem in persona propria, cum avisamento Concillii.

(Signed)

J. CHEPMANE.

The x day of October the yere of God nynte and thre yeiris, I, Alexander Bannyman, Scheref in that parte, passyt at the command of thir our souerane lordis letteris, ande summond Jhonne of Erskyn elder of Dwne, and Johnne of Erskyn younger, feare of the samyn, Master Robert Erskyn, and Thomas Erskyn, at thair dwelling places of Dwne and Morfy, after the tenore of thir our souerane lordis letteris, and al the articulis and pontis contenyt in the samyn, and this I dyd befor thir witness Henry Fettry, Andro Gardiner, Andro Forsyth, and Thomas of Myll, with otheris diuress; and for the mayr witnessing I haf to-set my signet.

The xiii day of October, the yere of God nynty and iij yeiris, and I, Johnne Strathagun, Scheref in that part, passit at the commande of thir onre souerane lordis letteris, to summonde Jhonne Scot, Thomas Scot, Nyeoll Maleum, Thomas Woar, and Alexander Lyddail, at thair dwelling placis, after the tenore and forme of thir our souerane lordis, to bere leyll and suthfest wytnessinge in the acciones and causs within wrytinge, before thir witness, Jamess Scot, Jamess Patrick, Andro Forsyth, and Adame of Murray, with others diuress, and for the mair wytnessing, I haf set to my signet.

Quarto Julii, presens Cancellarius, ex mandato domini Cancellarii de consensu presencium continuatur ad xx Octobris proximi futuri, cum continuacione dierum, in eadem forma vt nunc est, absque preiudicio pareium.

(Indorsed)

An somontis passit vpone John Erskine of Dwne off spoilye for the etting of corin and wataking of fycheris eleis.

See Bowick's Life of John Erskine of Dun, (12mo. Edin., 1828,) pp. 144—154. As Mr. Bowick's work will be frequently referred to afterwards, it may be proper to state here that its author (now dead) was at one period a clerk in the office of James Burnes, Esq. Town Clerk of Montrose, who supplied him with several materials for his interesting little memoir. Among the MSS. furnished by Mr. Burnes was the document just inserted. It was found among some old papers in the Record room of the Burgh of Montrose, and was afterwards sent to Edinburgh to be produced in an action raised by the late Mr. Erskine of Dun for the purpose of prohibiting the fishers of Montrose from taking bait in those very waters mentioned in the Bill of Complaint. The document was never returned, so that, although there are probably several errors in Mr. Bowick's copy, no opportunity has been afforded me of correcting it from the original.

IV. SCHEME OF PROOF IN THE SERVICE OF ALEXANDER ERSKINE, ESQ. OF BALHALL, AS HEIR-MALE OF THE DECEASED HONOURABLE DAVID ERSKINE OF DUN, ONE OF THE SENATORS OF THE COLLEGE OF JUSTICE, HIS GRAND-UNCLE ON THE FATHER'S SIDE.

I. PROOFS of the Extinction of the direct Male Line of the said HONOURABLE DAVID ERSKINE of Dun.

I. That the HONOURABLE DAVID ERSKINE OF DUN had only one son, *John Erskine of Dun*.

1. Crown-charter of Novodamus in favour of DAVID ERSKINE OF DUN, one of the Senators of the College of Justice, in liferent, and JOHN ERSKINE, his only lawful son, by MAGDALENE RIDDELL, his wife, in fee, and the heirs-male of *John's* body; whom failing, the heirs-male of the said *David Erskine* in any other marriage; whom failing, *Alexander Erskine*, merchant in Montrose, brother-german of the said *David Erskine*, and the heirs-male of his body; whom failing, *Francis Erskine* of Kirkboddie, &c. &c. of the lands and barony of Dun, dated 16th May 1732. Register of Great Seal, B. XCIII. No. 89.

II. That the said JOHN ERSKINE OF DUN had only one Son, *John Erskine of Dun*.

2. Crown-charter of Resignation in favour of *John Erskine of Dun*, in liferent, and JOHN ERSKINE, his only lawful son, in fee, of the lands and barony of Dun, dated 10th December 1764. Register of Great Seal, B. CVII. No. 88.

The *Quæquidem* of this charter narrates the lands to have pertained heritably of before to David Erskine of Dun, one of the Senators of the College of Justice, and to the said *John Erskine* senior, his son, in terms of the above charter of 16th May 1732.

III. That the said JOHN ERSKINE (the second) of Dun, had an only son, *William John Erskine*, and two daughters, *Miss Alicia Erskine*, and *Margaret*, Countess of Cassilis, now marchioness of Ailsa, and that *William John Erskine* died without issue.

3. Disposition by *John Erskine of Dun* in favour of WILLIAM JOHN ERSKINE, ESQ. his only son, of the lands of Whitefield, dated 22d September, and recorded in the books of Session the 1st October 1795.
4. Retour of the General Service of *Miss Alicia Erskine of Dun*, and *Margaret*, Countess of Cassilis, as heirs-portioners of the deceased

WILLIAM JOHN ERSKINE, ESQ. their brother, dated 30th November 1822. Chancery Record CXVIII. p. 418.

II. PROOFS of the Descent of the Claimant ALEXANDER ERSKINE of Balhall, Esq. as Heir-Male of the body of *Alexander Erskine*, merchant in Montrose, the only surviving brother-german of the Honourable *David Erskine of Dun*, and consequently nearest collateral heir-male of the said Honourable *David Erskine*.

I. That ALEXANDER ERSKINE merchant in Montrose, was the only surviving brother-german of the Honourable *David Erskine of Dun*.

5. Crown-charter of Novodamus, No. 1. above referred to, dated 16th May 1732, of the Barony of Dun, in favour of the said Honourable *David Erskine* in liferent, and *John Erskine*, his only son, and the heirs-male of his body, in fee; whom failing, the heirs-male of the said *David Erskine* in any other marriage; whom failing, to ALEXANDER ERSKINE, merchant in Montrose, *brother-german of the said David Erskine*, and the heirs-male of his body; whom failing, to *Francis Erskine of Kirkboddie*, (a more distant collateral) &c. &c.

ALEXANDER ERSKINE, merchant in Montrose, had six children, *David, Robert, Jean, Ann, Margaret*, and *John*, of whom *Robert* predeceased his father without issue.

II. That the said ALEXANDER ERSKINE left only two sons, *David* and *John*.

6. Extract Registered Disposition and Settlement by the said *Alexander Erskine*, merchant in Montrose, stating his then surviving family to consist of two sons, DAVID and JOHN ERSKINES, and three daughters, *Jean, Ann*, and *Margaret Erskines*, and disposing certain subjects in the burgh of Montrose in favour of his said daughters, dated 15th July 1751, and recorded in the Burgh Court Books of Montrose 9th November 1770.

III. That DAVID, the eldest son of *Alexander Erskine*, afterwards MAJOR-GENERAL DAVID ERSKINE, died without issue.

7. Extract Registered Trust-Disposition and settlement by *Major-General David Erskine*, by which he bequeaths the property therein mentioned to *John Erskine of Dun*, and *John Erskine of Balhall* his son, in trust, for behoof of his sisters, *Jean* and *Ann Erskines* in liferent, and, after their death, to his brother JOHN ERSKINE, ESQ. OF MONTEGO BAY, *Jamaica*, dated 22d June, and recorded in the Burgh Court Books of Montrose 2d July 1779.

IV. That JOHN ERSKINE, Esq. OF MONTEGO BAY, afterwards of Lima, in the parish of St. James's, county of Cornwall, Jamaica, had three sons, *John Erskine*, ALEXANDER ERSKINE, Esq. the claimant, and *David Erskine*, and that the said *John Erskine*, the eldest son, died unmarried, will be proved by the par~~ote~~ testimony of Alexander Mudie, Esq. and William Mudie, Esq. and also by

8. Extract Instrument of Cognition and Sasine in favour of ALEXANDER ERSKINE OF BALHALL, Esq. the Claimant, as heir of his aunts, the above-mentioned *Jean, Ann, and Margaret Erskines*, the daughters of the said *Alexander Erskine*, in the subjects in Montrose, conveyed to them by the said *Alexander Erskine*, dated 13th July 1796.

NOTE B.—DEFENCE OF THE TOWN OF MONTROSE. (Pages 9—12.)

THE account of Erskine's defence of Montrose against the English given in the text is extracted from a translation (by Abercomby, the Author of "The Martial Atchievements of the Scots Nation,") of Beaugué's *Histoire de la guerre d'Ecosse*. The best of the accounts of this defence by our Scottish writers is considered to be that of Buchanan, which has been conjectured to have been written from information supplied by Erskine himself. After noticing the defeat of the English in their attack on St. Monans,* and their retreat to their ships, that author thus proceeds: "Illinc classis ad Merniam, regionem minus frequentem, est devecta; eo consilio ut Montem Rosarum, oppidum non procul ab Escae fluminis ostium situm, opprimerent. Excensionem noctu facere statuunt; quam opperientes, donec lucis aliquid supererat, ad anchoras extra terræ conspectum steterunt. Cum per tenebras paullatim ad littus allaberentur, ipsi, sua imperitia, rationem occulti consilii, accensis in omnibus naviculis lucernis, hosti prodiderunt. Joannes Areskinus Dunius, oppidi præfectus, omnibus absque strepitu arma capere commonitis, tripliciter suos divisit: alios retro aggerem terrenum,†

* One author also attributes the success of the opposition to the English upon this occasion mainly to the activity of Erskine. "John Erskin of Dun being somewhat diseased, and returned hame from the campe, where all along the way as he went, *caused advertise the countrie with fyres put on for that effect*, as y^t the people in great numbers came in all possible haist, that vpon the Englishmens landing they were forced to retere with losse, and happie was he that mycht first get againe to shipboard." (Anderson's Hist. of Scot., MS. Adv. Lib., Vol. I., f. 122.)

† "The first division he dispatched to a small hill close by the river, called the *Fort* or *Con-*

in littore ad excensiones impediendas exstructum, collocavit: ipse jaculatores aliosque leviter armatos in hostem duxit: tertiam manum ministrorum et vulgi promiscui, adjunctis paucis hominibus militaribus qui turbam regerent, retro collem propinquo* expectare jussit. His ita comparatis, ipse, cum jaculatoribus in hostes descendentes invectus, acre certamen consenuit: ac, tumultuario genere pugnae, eos usque ad aggerem pertraxit: ibi conjunctus cum statione suorum, acie instructa, omnes una in hostem immisit. Nec illi cessissent, nisi e colle propinquo* acies alia sub signis se ostendisset: tum demum ad mare et naves adeo trepide acti sunt, ut e circiter octingentis, qui exscenderant, vix tertia pars incolumis evaserit," (Opera, Ed. Ruddiman. I. 301.)

The loss of the English is variously stated. According to Beaugué, "of nine hundred not one hundred got to their ships;" Lord Herreis says "500 and more were killed" (Abridgment, in the Advocates' Library, of a MS. by him in the College of Douay),—and Bowick, that "nearly two thirds of the (800) invaders fell." The account of this skirmish by the last author (Life of Erskine, pp. 61—5) deserves particular attention from his intimate knowledge of the localities, but he quotes no authorities.

Unfortunately the Register of the Privy Council at this period is not preserved among the public Records, and much valuable information may thus be supposed to be lost. Of the few notices preserved by the Earl of Haddington, the following only relates to Erskine.

"20 Junij, 1548. The Towne of Dundie ordanit to stay from the raid, and to waig 100 sowldiers to attend the laird of Dun directit to stay in Angus to resist the Inglishmen, and that the townsmen of Dundie await upon the laird of Dun, and watch and waird with him as thai salbe commandit be him, under the pane of tinsell of lyff, landis and gudis," (Keith's Hist., App. p. 57. See also Haddington's Collections MS., Adv. Lib., Vol. I., f. 116.)

NOTE C.—ADDITIONAL NOTICES OF ERSKINE, AND REMARKS RELATIVE TO THE
DATE OF HIS DEATH. (Page 67.)

BEFORE leaving this memoir, it is necessary to supply such incidents as have been omitted in Wodrow's narrative. In doing so it would be presumptuous to

stable hill, ordering them to remain behind the ramparts until they should see an opportunity of engaging the enemy with advantage." Bowick's Life of Erskine of Dun, p. 62.

* The Horologe hill. Bowick, p. 62.

assert that the notes here collected are perfectly complete, or in every case satisfactory. Some of them rest on the authority of only a single writer; there are others which, perhaps, from the want of such information as is necessary to place them in their proper connexion, it may be difficult to reconcile with those events of his life which are already known. They are, therefore, submitted simply as they stand, to be admitted or rejected according to the views of the reader.

According to Mr. Bowick, Mr. Erskine received his academical education at King's College, Aberdeen, (Life of Erskine, p. 15.) That he made a respectable figure, as affirmed by the same author, seems unquestionable. The character given him by Buchanan, "*homo doctus et perinde pius et humanus*," (Opera, ed. Ruddiman. I. 312,) is sufficient to place him in a high rank, without quoting from the Dedication to him of the Lamentation of Lady Scotland, (Dalyell's Scot. Poems of 16th Cent., II. 239,) or that of "The Winter Night," (quoted in M'Crie's Melville, 2d. Ed., I. 347.) There seems to be some difference of opinion as to his pursuits after leaving College. Bowick maintains that he spent several years at the Castle of Dun, "cultivating knowledge by the perusal of the ancient classic and primitive christian writers, and by the conversation of many learned men, whom he invited to partake of his friendship and hospitality," (Life, p. 18.) Wodrow and others, on the contrary, suppose, that he finished his education at some of the Continental Universities,—a course of study certainly adopted at that period by most young Scotsmen of rank,—and that he brought with him Petrus de Marsiliis, on his return. The same opinion is advanced by Dr. M'Crie, who says (Life of Melville, 2d edition, I. 10, 11,) that Richard Melville (the eldest brother of Andrew, and father of James, Melville) accompanied Erskine as his tutor; but this proceeds from a misapprehension of the passage in James Melville's Diary, which mentions that his father was chosen tutor to *James Erskine, appeirand of Donne*, (Diary, p. 12.) Whatever opinion may be formed on this subject, Erskine must have been in Scotland a considerable time previous to 1534, when Straiton suffered martyrdom. Nothing is known of him for some years after this period. He is frequently mentioned by James Melvil among "the graittest lights of that age within the countrey," and as residing both at the town of Montrose and at Logy. (Melvill's Diary, 12, 15.) The next notice I have discovered of Erskine is dated 1543—4, but it seems difficult, in its present detached situation, to explain it: "Vpoun the xxviij. day of Januare, the governour with his lordis past to Sanctiohnstoun and Dundie, and brunt mony lymmeris in the said tolbuiss, and the wastland lordis promiseit to come with him for ministratioun of justice, quha come nocht thair. James

Lermounth vmquible the kingis maister houshald and put him in Sanctandrois, and the laird of Dun in Blacknes," (Diurnal of Occurents in Scotland, printed for the Bannatyne and Maitland Clubs, pp. 30, 31.) Wodrow seems to have considered Erskine's connexion with George Wishart merely as a probability, on the supposition that it is not recorded. Without entering into the probability of their earlier acquaintance (McCrie's Life of Knox, fifth edit. I. 343,) it is enough to say here, that their intercourse on Wishart's return to Scotland in 1544 is distinctly noticed by several of our historians,—by Knox, (Historie, ed. 1732, pp. 49, 50;) and by Spotswood (Hist. p. 77.) But by far the best account of this part of Wishart's life is given by Petrie, (Hist. Part II. pp. 182, 3) who says, that he derived his information when young from "very antient men." "He (Wishart) preached," says this author, "first in Montros within a private house next unto the church except one." And immediately after; "when the plague ceaseth in Dundy he returnes to Montros to visite the church there, and *ministreth the Communion with both Elements in Dun.*" There is again a hiatus in Erskine's history till 1548, when he defended the town of Montrose against the English, as mentioned by Wodrow, pp. 9—12, and in Note B. In 1549, Jhon Erskin of Dvnnie is mentioned in the Criminal Record, as one of the *absentes ab assisa* in the trial of Mariot Ogilvy for falsifying and causing the interlineation of her Majesty's letters under the Signet, (Pitcairn's Criminal Trials, vol. I. part II., pp. *346, *347,) and in 1556 as Justice Depute of the Justice-aire of Elgin and Forres, (Ibid. p. *389.) In the following year the Earls of Argyll and Glencairn, John Erskine of Dun and others entered into an engagement, known by the name of the First Covenant, by which they bound themselves to maintain, set forward, and establish the most blessed word of God and his congregation at the hazard of their lives and property, (Keith's Hist. p. 66.) Perhaps it is with some reference to this connexion that Sir Ralph Sadler and Sir James Crofts write to Secretary Cecil, (27th Sept., 1559,) "Of the protestants we here that they mete often, and that the duke hath been in consultation with them, and have now given a commission to therle of Glencarn and *the larde of Dvnn*, to suppresse thabbey of Paslowe, wherof the Bishop of Saynt Andrewes, the dukis brother, is commendatour," (Sadler's State Papers, edit. 1809, I. 463, 464.) This writer commits at least one error here in supposing the Archbishop to be still Commendator, and perhaps the report of this transaction was altogether unfounded; it has not at all events been corroborated, so far as has been observed, by any other writer. Soon after the mission of Sandelands of Calder to the Regent about the end of 1558, Erskine was sent by the Congregation to

the Catholic clergy to request that the public worship might be conducted in the language of the country, but he was more roughly answered than any of his predecessors, "*adjectis etiam solito gravioribus minis et conviciis*," (Buchanani Opera, Ruddiman. I. 312.) In 1559, when commissioners were appointed to meet at Preston for the accommodation of the differences between the Queen Regent and the Congregation, Erskine was one of those nominated by the latter. "After a whole day's conference," according to Keith, "there was little or nothing agreed upon;" the parties separated, and the Regent soon afterwards marched her army against the Protestants, who were obliged to evacuate Edinburgh, and to agree to an accommodation on the 24th of July, (Keith's Hist. 96—98.) In the same year, Erskine was appointed one of "the Council having the authority unto the next parliament erected by common election of the Earls, &c., of the Protestant faction," and in this capacity he signed the Act (dated October 23rd) disclaiming the authority of the Queen Regent, (Ibid, 105.) Some months before this time, (May, 1559,) many of the protestant preachers had been summoned before the Criminal Court for spreading the reformed doctrines, and, on their non-appearance, had been declared rebels: among the number were John Christeson and William Harlaw. On the 10th of May, John Erskine of Dyne and Patrick Murray of Tibbermuir were amerced as their cautioners, (Pitcairn's Criminal Trials, I. Part II., pp. *406, *407.) In 1563 (June 3,) John Erskin of Dyne became cautioner for the appearance of Robert Cullese of Balmayne and others to underly the law for "the Convocationne of our souerane ladies liegis be cumand to the Burrow-Rudis of the cite of Brechin, and serching for certain inhabitantis thair of for thair slauchteris and destroying the turvis beand vponn the said muir," (Ibid. I. Part II. pp. *431, *432.) When Knox was summoned in the same year before Queen Mary, on account of his public harangues against her marriage, "the Lord Uchiltrie and diverss of [the] faythfull bair him cumpany to the Abbey," and, among others, Mr. Erskine; "bot non past in to the Quene with him in the Cabinet, bot Jhone Erskin of Dun, then superintendant of Angus and Mearnis." When, in the conference which followed, the Queen gave vent to her grief and indignation before the stern and unmoved Reformer, Erskine attempted to sooth her, and he and the prior of Coldingham remained with her "neir the space of ane hour," after she had commanded Knox out of her presence, (Knox's Hist. 332—334.) His conduct on this, as on many other occasions, indicates a strong desire to quench the fiery spirits of both parties, and, in this respect, is an admirable contrast to that of most of his cotemporaries. The Parliament of the same year appointed "Johne Erskin of Dun, Prouest of

Montros," one of the Lords for "the interpretatioun of the law of oblivion,"* and he was also nominated one of the Commissioners "to cognosce, visie and consider the patrimonie and rentis" of the colleges of the University of St. Andrews,—“quhat the samin extendis to ȝeirlie and superplus thair of,—how, in quhat maner, and be what ȝeirlie rentis and profeittis thair may men of cunning and vnderstanding be had within the said citie and vther placis quhair Colleges ar,” &c. Notices of these and other Commissions will be found in the Notes to the Life of John Winram. Erskine's name appears at the bond entered into in 1567 for the defence of the infant king and his government, (Crawfurd's Off. of State, App. 442,) and in Dec. following, he was appointed one of the Lords of the Estates “to consider sic articklis as is committit to thame, and to report the samin againe in the nixt Parliament.” By the Acts of Parliament, Dec., 1567 and 1579, “anent the iurisdiction of the kirk,” he was appointed one of the Commissioners “to seirch furthe mair speciallie to consider quhat vther speciall pointis or clausis sould appertene to the iurisdiction &c. of the said Kirk, and to declair thair myndis thairanentis,” &c. And his name appears in the Records of the proceedings of the Barons, Commissioners of Burghs and Ministers, Dec. 1—6, 1567, appointed to treat of certain articles which were afterwards presented to the Parliament which met Dec. 15th. The Convention of Estates (March 1574,) appointed him one of the Commissioners “to convene, confer, resoun and put in forme the Ecclesiasticall policie and ordour of the governing of the Kirk,” &c. By the Parliament which met at Stirling July 1578, he was appointed in a commission to convene there on the 18th August following, to confer upon the Second Book of Discipline. In 1579 he was named one of the Commissioners to see the Act of the Reformation of the University of St. Andrew's put in execution, and in the same year he was appointed a member of the Privy Council, (Acts Parl. Scot. II. 536, 544. III. 25, 30, 35, 89, 105, 138, 150, 182.) In his later years Erskine is represented as residing frequently in the town of Montrose. “The Lard of Dyne,” says James Melvil, under the year 1570, “dwelt oft in the town, and of his charite intertained a blind man, wha haid a singular guid voice; him he causit the doctor of our scholl teatche the wholl Psalmes in meter, with the tynes therof, and sing them in the Kirk,” &c. (Diary, p. 18.) The last General Assembly at which Erskine is recorded to have been present was that held at Edinburgh June 20, 1587, by which he was appointed a member of a Committee to promote the removal of “ane matter of greife conceivit

* In the “Act remitting the interpretatioun of the law of obliuion to the lordis of Session,” (1587) it is mentioned that all the commissioners, except Mr. Erskine and James Halyburton, tutor of Pitcur, had “departed this present lyfe,” (Acts Parl. Scot. III. 448). Sir Richard Maitland from whom the Maitland Club takes its name, was one of these Commissioners.

be the King's ma. against Mr. Johne Cowper and James Gibsone." He was at the same time nominated on a Committee to collect the Acts of Parliament "maid be our souveraine Lord, his H. predecessors and regents for the tyme, for the libertie of the trew kirk of God and Christs religione presently professit within this realme, and for repressing of papestrie and idolatrie," and to crave their confirmation by the next parliament,—the first since his majesty had attained majority. (Book of Univ. Kirk, in Bibl. Acad. Glasg. MSS. F. 1. 1. fol. 267.)

Dr. McCrie (Life of Melville, 2d Edit. I. 347,) has assigned the 16th October 1592, as the date of the Superintendent's death, on the authority of a will by John Erskine of Dun, (registered in the Act buik of the Commissariat of St. Andrews, Oct. 25, 1593.) in which his children are represented as minors, and are committed to the "tuitioun, gyding and keeping" of "his weilbelovit spous Margaret Kaith thair mother." It is evident, however, that the John Erskine, whose will is there recorded, was not the Superintendent, but John Erskine styled in Charter XXIX (Note A) "Son and heir apparent of John Erskine of Logy." The succession exhibited in that charter is perfectly clear: John Erskine, liferenter of Dnn, (the Superintendent); Robert Erskine, fiar of Dun, his son; John Erskine of Logy, son of the said Robert; and John Erskine, (then on the eve of his marriage with Margaret Keith, daughter of Robert Lord Altrie,) son and heir apparent of the said John Erskine of Logy. The person who executed the will in question was therefore the *great-grandson* of the Superintendent.

Since the preceding sheet was printed, I have had an opportunity of consulting the genealogical tree of the Erskines, prepared for this work by Alexander Sinclair, Esq. From that article it appears highly probable that James Melville has mistaken the name of the young gentleman with whom his father travelled. But to whatever member of the family he may have referred, it could not be to the Superintendent himself. Richard Melville was born about 1522, (Diary, p. 12.) and must have been more than ten years younger than the Superintendent. For this reason (not to mention others which will be suggested by a comparison of dates,) he could not be his tutor. The force of the remarks at p. 430, therefore, remains unaltered.

PROOFS OF THE GENEALOGICAL TREE OF THE FAMILY OF ERSKINE OF DUN ;

BY ALEXANDER SINCLAIR, ESQ.

(a.) HENRY DE ERSKINE is witness to a donation by Amalek, brother of Maldvin Earl of Lennox, in 1226.—*Chartulary of Paisley*.

(b².) SIR JOHN obtained a grant of lands in Largs, Ayrshire, confirmed by James, Steward of Scotland, in which he is called JOHN DE ERSKINE, son of John de Erskine, son and heir of John de Erskine, Knight.—*MacFarlane's Original Writs*.

(c.) SIR WILLIAM, vide *Craufurd's Peerage* 298, and *Craufurd's Officers of State*, 287.

(d.) SIR ROBERT was a very eminent man. His history may be seen in *Craufurd's Officers of State*. Besides being Great Chamberlain, he was Great Justiciary of Scotland beyond the Forth, in 1360, and Keeper of the Castles of Edinburgh, Stirling and Dumbarton.—*Wintoun's Chronicle*, II. 204.

Papers belonging to the Town of Montrose, communicated by

John Riddell, Esq., Advocate.

CHARTER by ROBERT DE ERSKIN of that Ilk, with consent of David King of Scots, by which, for the safety of his soul, the soul of Cristian Keith his spouse, also the soul of Beatrice his wife, deceased, and the souls of his father and mother, he gives grants and confirms to two Chaplains to perform divine service within the cathedral church of Brechin, part of the Barony of Dundee; also 5 merks from the Barony of Dun. Dated 18th Nov., 1360.

MORTIFICATION by Sir JOHN ERSKIN of Dun, Knight, by which, in respect of its being known to him that the Bishop of Brechin and his men were inhabitants upon the lands of Eaglesjohn, pertaining to the said Sir John, and lying in the Barony of Dun, therefore the said Sir John for the counsel and service rendered to him by the Bishop and his foresaids, and because of the deceased Sir THOMAS ERSKINE of Dun, his ancestor, having remitted all and whatever services to be rendered to him together with an annualrent, to be paid by them, to him the said Sir Thomas Erskine, in consideration of which the Bishop of Brechin was obliged yearly to celebrate the anniversary of his death, and of Sir ROBERT ERSKINE, his grandfather, exempt from performance of feudal services, 9 Nov. 1409.

(e.) SIR THOMAS got a Charter of Dun, on the resignation of his father, 8 November, 1376, vide Note A. No. I.

In the *Chamberlain's Books*, for 1373, is a payment to him, on account of the ward and marriage of the daughter and heir of the deceased Sir David de Berclay, Knight: and in the same record, for 1405, is an entry respecting an annuity to Dame Johanna de Berclay, spouse of the deceased SIR THOMAS ERSKINE de Dun, Knight, paid on a receipt from his son and heir Sir Robert.—*Chamberlain's Books*, anno 1405,—“et d^{ne}. Joh^{ne}. de Berclay sponse quond. dⁿⁱ. thome de Erskyne milit. percipiti per annum hereditarie centum libras ut per l^{ras}. dnⁱ. Roberti de Erskyne filii sui et heredis de rec. [recipienti?] ex parte matris sue.”

(f.) SIR ROBERT, 22 April 1438, was served heir to the Earldom of Mar as only son of Sir Thomas Erskine by Janet Keith his wife, only child of Sir Edward Keith by Christian Monteth his wife, daughter and heiress of Sir John Monteth Earl of Arran, &c., by Elyne Marr daughter of Gratney, XI. Earl of Mar. He assumed the title but was arbitrarily deprived of it, and became Lord Erskine. His son Sir Thomas appeared as his Procurator in Parliament, 4 September, 1449, to protest against the injustice done his father.—*Douglas's Peerage*, quoting *Marr Papers*, Vol. II., 204.

REASONS for considering that SIR THOMAS and SIR NICHOL ERSKINES were sons of Beatrice, the *first* wife of SIR ROBERT ERSKINE, and not sons of CHRISTIAN the *second* wife;—also that SIR ROBERT and SIR JOHN ERSKINES were sons of Sir Thomas by different wives, the former by JANET KEITH the *first* wife; and the latter by JOHANNA BARCLAY, the *second* wife.

1. It appears that SIR NICHOL, the *younger* son of Sir Robert, was not son to Christian from the Charter of Kinnoul, which was resigned by ROBERT DE ERSKINE, *Knight, his father, and Cristian de Keith spouse of Robert*, but not called mother to Nichol.—*Charter under the Great Seal*, No. I. dated 18 Jan., 1365–6. If this be proved in the case of Sir Nichol, it holds stronger still as to his elder brother; but chronology gives farther help in the question.

Gratney Earl of Mar's wife Cristian, was sister of King Robert Bruce, whose mother was not married till 1271. Cristian was left a young widow in 1300 with a son, then a mere boy, and a daughter Elyne, who must also have been a child, as her mother was married to a *third* husband in 1326, and had a family afterwards.

Elyne's marriage to Sir John Menteith could not have been above a year or two prior to 1320; and their only child, Cristian, married first Sir Edward Keith, who survived the battle of Durham in 1346, or he could not have become Marischal of Scotland, as heir to his grandnephew Sir Robert; but was dead in 1351, when his daughter was contracted by her

brother William, then Marischal of Scotland. Cristian married 2dly, by dispensation from Pope Innocent VI. in 1355, (vide *And. Stewart*, p. 446,) Sir Robert de Erskine, but as he had a former wife, and his son Thomas was a hostage for the King in 1357, and a knight and a married man in 1368, Cristian de Keth, alias Menteith, could not be his mother, nor could a daughter of hers be his mother, by a marriage in 1355. Under this head it falls to be noticed, that there are many instances of widows retaining their first husband's name, in authentic deeds, even when married to a second husband, as in the case of Cristian de Keth, or during a second widowhood, as in the instance of Marjory de Lindsay daughter of Sir John Stewart of Ralston, and widow of Sir Henry Douglas of Lochleven.

2. On the second point, the Charter to Sir John states him to have been actually the son of Johanna de Barclay, (Note A. No. II.;) but the payment of her pension to Sir Robert on the part of Johanna, though called his mother, is not conclusive; as in ancient times the terms mother, father, son, or brother, were often used to express *connexion* not *relationship*, and were seldom qualified by our modern explanatory phrases, in cases of *affinity* only, viz., *mother-in-law*, *step-mother*, &c. Indeed, if the first point be proved, viz., that Sir Thomas was not son of Cristian, it follows of course that Sir Robert must have been son of Janet Keth, otherwise they could not have had the blood of Mar, in right of which they came to represent that illustrious family; and the whole descent from her is extracted from the archives of the family of Mar by *Sir Robert Douglas* in his *Peerage*, original edition, title *Mar*, (marked by the celebrated Lord Hailes as the best article in the work) in which he is stated to be the only son of Janet Keith.

(g.) SIR JOHN, who got Dun from his father confirmed by charter from the Crown, 25 October, 1392, is therein shown to have been son of Johanna Barclay.—Note A. No. II.

(h.) ALEXANDER ERSKINE of Dun, Janet his spouse, and John his eldest son, are in the charter. 18 January, 1449.—Note A. No. III. IV. In the papers of the family of *Graham of Fintry* is an acquittance and discharge, dated at Pomfret, penult September, 1452, to Alexander Erskine of Dun for 200 merks, out of 300 promised by Robert Graham of Ewisdale, (ancestor of Fintry,) on contract of JOHN ERSKINE, son of Alexander, and Marjory, daughter of Robert. Charter to JOHN ERSKINE of Dun, 19 July, 1468. Note A. No. V.

(i.) JOHN ERSKINE of Dun, Mariota Graham his spouse, and John Erskine younger their son, ffar of Dvne, grant a charter of Mortification, 10 March 1490, confirmed 21 May, 1491. Note A. VII.

John Erskine younger of Dun was tutor at law to Henry Graham of Morphie, 9 Feb. 1492.—*Acta Dominorum Concilii*, Note A. p. 422.

(j.) JOHN ERSKINE of Dun gave a Charter to his son John, junior, and Margaret Ruthven Countess of Buchane his spouse; which Thomas and Alexander, brothers of John senior, witness, 21 June, 1508. Note A. XI. Also *Douglas's Peerage*, Vol. I. p. 268 and 660.

For Mr. ROBERT, WALTER, and THOMAS, vide Bill of Complaint to King James IV. by the community of the burgh of Montrose, against John of Erskyn eldar of Dun, his sonnys, John of Erskine, Master Robert Erskine, Vat Erskine, and Thomas Erskine, for various oppressions, dated 1 October, 1493.—*Montrose Burgh papers*. Orders by the King that the Lard of Dwn answer to the charge and give security for £500, and ilk one of his said sonis £200, 4 Octob., 1493. Note A. 422, 423, 424.

In the *Privy Seal* record for 1535, is an entry regarding John Erskine of Dun, and Margaret Ruthven Countess of Buchan, his moder.

(k.) JOHN ERSKINE of Dun got a Charter from David Earl of Crawford, 30 April, 1525, Note A. XVII. As brother of John Earl of Buchan, he witnessed that Earl's Charter to John his son and heir apparent, 15 May, 1547. Charter of Confirmation of a Charter by John Earl of Buchan, dated 29 April, 1547, on a contract between the Earl and Walter Ogilvy of Boyne, Knight, in favour of John Stewart his son and heir apparent, and Margaret Ogilvy his spouse, &c. Witness JOHN ERSKINE of Down, brother of the Earl.

The notice from the *Privy Seal* given above, proves that the Superintendent had succeeded before 1535,—and consequently, that it was his son John who had the fee of the estate of Dun given up to him, 18 February, 1534; and who was still FEAR of Dun, in 1541 and 1547.

For Isabel's marriage, vide Note A. VIII.

(l.) JOHN ERSKINE of Dun resigned the fee of Dun to John his son and apparent heir, 18th February, 1534, (see Note A. XVIII. and XIX.,) and got a charter from his uncle Sir Thomas Erskine of Brechin, Knight, Secretary to King James V., 9 February, 1541, Note A. XX.; another from Sir Thomas to him as his nephew, and to John his son and heir apparent, fear of Dun, 9th February, 1541, Note A. XXI.; another from the said Sir Thomas to him as his nephew, and BARBARA BIERLE his spouse, 20 September, 1543, Note A. XXIII.

SIR THOMAS ERSKINE of Brechin received many Charters, too numerous to mention. The Charters to his nephew show his place in the family. He was a well known public character, and his nephew the Superintendent was still more distinguished.

(m.) ELIZABETH LINDSAY is stated in *Crawford's Peerage* to have been the wife of JOHN ERSKINE of Dun, the Superintendent of Angus. The name of his wife does not appear in any of the Charters from the Crown, which her

husband got; but her marriage is given in a pedigree of the Earls of Crawford, written about 1571, preserved in the *Harl. MSS.*, No. 245, p. 174. She was alive in 1534; and from the extremely rapid descent of the family beginning with him, and from his having had JOHN his son infest in Dun before the time of his marriage with BARBARA DE BIERLE, this statement is probably correct; and the Charter from the Earl of Crawford in 1525 shows the intimacy of the families, and was perhaps given in payment of her fortune.⁵

(n.) JOHN ERSKINE fear of Dun was very young in 1453, when he got the fee of Dun resigned to him by his father, who was himself the son of a marriage which took place after 1503. He and his wife MARGARET HOPPRINGLE have a Charter in 1547, *Crawford's Notes*, Advocates' Library; and she afterwards appears as tencer of a part of the estate, by the name of Margaret Hoppringle, *Lady Arbutnot*, in the Charter in 1588, Note A. XXIX. See also Charter to her as spouse of Andrew Arbutnot of that Ilk.—*Douglas's Peerage* I. p. 81.

(o.) The younger sons, WILLIAM, JAMES, MR. THOMAS, ALEXANDER and JOHN, are proved by Charters and Privy Seal notices, Note A. XXIV., XXVI. and XXVIII. SAMUEL is in XXX., MARGARET, who married Patrick Maule of Panmure, is mentioned in various deeds, and in a history of the family by *Robert Maule* the celebrated antiquarian, in the Advocates' Library. She had only one son, Patrick (afterwards Earl of Panmure,) but it is proved by the *General Register of Deeds*, XXXVII., p. 223, dated 6 Jan., 1590, that she had seven daughters; of whom, according to their uncle's account, JEAN married DAVID ERSKINE, by whom she was mother of JOHN, heir to Dun, and MARGARET married Mr. ARTHUR ERSKINE, afterwards mentioned.

(p.) The Charter 21 October, 1588, Note A. XXIX., gives four generations of the family, in a direct line, then alive, and the last then marriageable; viz., JOHN the Superintendent, patriarch, ROBERT his eldest surviving son, JOHN OF LOGY eldest son of Robert, and JOHN son of John of Logy; and four "Ladies of Dun," living upon the estate at once, viz., MARGARET HOPPRINGLE Lady of Arbutnot, relict of John eldest son of the Superintendent, KATHERINE GRAMME, spouse of Robert; AGNES OGILVY, wife of John of Logy; and MARGARET KEITH, daughter of Robert Lord Altrie, then about to be married to John son of John of Logy by contract, 25 August, 1588.

In the *General Register of Deeds*, XXXVI., p. 128, June 4, 1590, ROBERT ERSKINE, of Dun, and JOHN ERSKINE of Logy his son and apparent heir are parties; and John's wife is named MARGARET OGILVY. For the birth of Agnes or Margaret Ogilvy, see *Peerage of Scotland*, Vol. I., p. 31, and Vol. II., p. 716. In the *testamentary Record at St. Andrew's*, 25 October, 1593, it is entered that JOHN ERSKINE of Dun died in October, 1592, leaving

MARGARET KEITH, his relict; and John Erskine and Margaret Erskine his children by her.

(q.) JOHN ERSKINE OF DUN was, on the 5th November, 1603, served heir to his father John Erskine of Dun, who died in November, 1592, four years after his marriage. His wife MAGDALEN HALIBURTON is proved by Note A. XXXI.; and her marriage to Sir John Carnegy of Ethy, afterwards Earl of Ethey and Northesk, Note A. XXXII. His death in March, 1608, without a son, is proved by the service of his uncle's son ALEXANDER as heir male to him, 8 May, 1621. The death of the Countess is thus recorded by Sir James Balfour: "10 Martij, being Sunday, 1650, ANNA [MAGDALEN?] HALYBRUNTON, Countesse of Ethay, eldest daughter to Sir James Halybrunton of Pitcurr, Knight, departed this lyffe at Ethay. She was first married to the Laird of Dun, Erskin, and by him had no heires mailles; and after his death shoe married Johne Earle of Ethay, and had sonnes and daughters."—*Balfour's Historical Works*, IV. 7.

In *Pitcairn's Criminal Trials*, Part VII. is a full account of the case of poisoning, which signalized this family in the beginning of the 17th century. ROBERT ERSKINE, instigated by his three unmarried sisters, administered poison to his two young nephews, the eldest of whom had succeeded to Dun in minority. Robert, his natural guardian, had been deprived of the charge of him and of the estate, by the last proprietor leaving a testamentary appointment to John Erskine, minister of St. Ceres, to the office. The trials show that DAVID and ROBERT were sons to JOHN ERSKINE OF LOGY, who never succeeded to Dun; that Mr. ARTHUR was their uncle; that DAVID died before his mother, leaving by JEAN MAULE two sons, JOHN and ALEXANDER; and that JOHN, after lingering painfully for about three years, lamenting his fate in having been born to an estate, fell a victim to the barbarity of his aunts and uncle. JANE the sister of these criminals was contracted by her father to Patrick Painter, 8 July, 1577. —*General Register of Decds*, Vol. XVI., 443.

(r.) ALEXANDER, afterwards SIR ALEXANDER ERSKINE of Dun, who succeeded in consequence of this crime, was not served heir to the unfortunate boy, because, though he had a right to the estate, he had not been infest, but to JOHN his predecessor, his uncle's son and cousin-german, who died in March, 1608; service 8 May, 1621. Sir Alexander and his first wife MARGARET LINDSAY, and JOHN his eldest son are all proved by Charter, Note A. XXXII.; for MARGARET LINDSAY's birth, see *Peerage of Scotland*, Vol. II., p. 518, where her husband's christian name is wrong. She died 11 March, 1633, leaving two sons, viz., JOHN and ALEXANDER, both minors. Testaments recorded 11 July, 1635.

(s.) SIR JOHN, eldest son of Sir Alexander, died without leaving a son, before 4th January, 1655; his brother DAVID is served heir *male* to him in the fee of Dun, which proves the previous death of *Alexander* without heirs male. For MARGARET, his daughter, vide *Douglas's Baronage of Scotland*, p. 51. The following characteristic extract is taken from *Lamont's Diary*. "1655, Jul. 5, THE LAIRD OF DIN, in Angus, surnamed Erskine, being at Cuper, was apprehended att the instance of S^r George Moresone of Darsie, for being cation for twentie thousand markes for the Lord Buchan to the said S^r George of Darsie, and put into the toll-buith ther. After he came out, he began to regrait his bad vsage, as to be put in pryson for another man's debt. Buchan, then being present att Cuper also, replied to Din, *that he might thinke it a creditt to be putt in the tolbuith for such a man as my Lord Buchan.*"—*Diary of Mr. John Lamont of Newton*, edition 1830, p. 88.

(t.) AS MARGARET LINDSAY, according to *Testamentary Record*, had only the two sons above, it follows that DAVID and MARGARET must have been children of a second marriage of Sir Alexander; but her parentage is unknown, owing to the caution of the Marquis of Ailsa, in refusing information.

MARGARET married to Sir John Carnegie is mentioned in a *MS. History of the Carnegys*, by Maule the antiquarian, in the Advocates' Library.

DAVID's marriage is mentioned by *Lamont* in his *Chronicle of Fife*; and he also notes that his mother and good-sister (sister-in-law) were then alive, but he does not give their names. He thus notices these circumstances: "1666, Feb. 23, The Laird of Dun, in Angus, being the second brother, married . . . Lumsdain, the Lady Bamfe, daughter to S^r Ja. Lumsdain of Endergailly elder: the marriage feast stood in the Laird of Enster his howse, hir brother-in-law. (At this tyme she was the thrid lady on that Estaite of Dun, viz., his mother, his good-sister, and this his owne lady.)"—*Lamont's Diary*, p. 185. DAVID had four Charters, vide Note A. XXXV. XXXVI. XXXVII. and XXXVIII.

(u.) Mr. DAVID ERSKINE, Advocate, afterwards LORD DUN, had a Charter, Note A. XL., which proves that he had had two elder brothers, one of them, Mr. JAMES, still alive, but passed over in the succession; that his spouse was MAGDALEN RIDDELL; and that he had a younger brother ALEXANDER, merchant in Montrose. The Charter XLI. shows that he was LORD DUN, and that ALEXANDER was then his only brother. The Charter XLII. mentions JOHN ERSKINE, only lawful son of Lord Dun by Magdalen Riddell his spouse. Vide also *Hist. Acc. of Sen. Coll. Just.* p. 491.

(v.) The *Baronage of Scotland*, p. 67, mentions that Magdalen Riddel had

only one son, JOHN ERSKINE, now of Dun, and one daughter, ANN, who married twice, as appears also in the *Peerage*, I. 34, and II. 14.

(w.) MARGARET INGLIS being married to JOHN ERSKINE of Dun, and having only one son is proved by information of friends, and by the *Baronage of Scotland*, 265, and Note A. p. 426.

(x.) The marriage of JOHN ERSKINE of Dun to MARGARET BAIRD is too well known to require proof. It is mentioned in the history of the Bairds, *Playfair's Baronetage of Scotland*, note to *Appendix*, p. 238. That he had only one son and two daughters is proved by Note A. p. 426.

(y.) The children of MARGARET ERSKINE, MARCHIONESS OF AILSA, now sole heir to this ancient and eminent family, are to be found in all the peerages; and her succession to her brother and elder sister is well known.

(z.) The alliances of the Marchioness's two sons need no evidence.

The retour of ALEXANDER ERSKINE OF BALHALL, as heir-male, took place in 1833, and proves him to be the representative of the family of Erskine of Dun. Note A. p. 426, 427, 428.

LIFE OF MR. JOHN SPOTSWOOD.

NOTE A.—THE FAMILY OF SPOTTISWOODE. (Page 72.)

THE following account of the direct descent of this family, communicated by the Rev. Dr. Fleming, is printed from a MS. (dated in 1722, and said to be taken out of O. K.'s book,) in the possession of its present representative. The family is, however, much more ancient than the writer here records.

There is a tradition in the Merse that the Spottiswoodes were originally Gordons, because of old they carried three boars' heads to their arms, whereas now they carry a field argent and three trees vert with cheveron gules and one boar's head sable upon the top thereof, with a helmet and thereon a tree vert, the motto, *Patior ut potiar*.

I. ATAVUS. [James] Spottiswoode of that ilk married the Laird of Johnstouns lawful daughter, whose eldest son was

II. **ABAVUS.** Henry [William] Spottiswoode of that ilk, who married [Elizabeth] Pringle, lawful daughter to the Laird of Hoppringle or Torsonce. He died in the battle of Flooden. The second son of that marriage

III. **Mr. John Spottiswoode**, one of our first Reformers from Popery and Superintendant of the Lothians.

IV. **PROAVUS.** Doctor John Spottiswoode, who was first parson of Calder, then Governour to the Duke of Lennox in his travels, and, after he came home with the Duke, was consecrated Archbishop of Glasgow and continued there . . . years,* and then was translated to be archbishop of St. Andrews, and continued 23 years there, and last of all was made Lord High Chancellor of Scotland. He married [Beatrice] Crichton lawful daughter to Crichton of Lugton, of which marriage there were three sons, and one daughter married to Sir Will. Sinclair of Rosline.† The eldest son was Sir John Spottiswoode of Dairsie. The youngest son was Bishop of Raphoe in Ireland, and the second son was

V. **AVUS.** Sir Robert Spottiswoode of [Newabbey,] Dunipace and Pentland, President of the Court of Session, and Secretary of State. He lost his head by the Parliament at St. Andrew's for subscribing the Marquis of Montrose's Commission. He married Dame Bethia Morisone, eldest lawful daughter to Mr. Alex^r. Morisone of Preston-Grange, one of the Senators of the College of Justice, and had by her three sons. The eldest, Mr. John, died unmarried. The youngest, Robert Spottiswoode, was Chirurgeon General [physician] of King Charles the II^d. forces at Tangier. He married [Catherine, widow of . . . Elliot?] an Englishwoman, a cousin to the Duchess of Marlborough, and of that marriage had one son, Colonell Alex^r. Spottiswoode in the Duke of Marlborough's service in 1706, and now governour in [Virginia?] Sir Robert's second son was

VI. **PATER.** Mr. Alexander Spottiswoode of Crumstain Advocate. Mr. Alexander Spottiswoode was first married to [Margaret] Home, ‡ only

* Spotswood was presented to the Archbishoprick of Glasgow, soon after the death of Beaton in 1603, but was not consecrated till 1610. (Crawf. Offic. of State, 163, 170.)

† The author has here confounded the Archbishop's marriage with that of his father. The *Superintendent of Lothian* married Beatrice Crichton, and had by her two sons, John (IV.) and James, afterwards Bishop of Clogher, and one daughter married to . . . Tennant of Lynehouse. The *Archbishop* was married to Rachael, daughter of David Lindsay, Bishop of Ross, by whom he had two sons, John, (whose family predeceased himself,) and Robert (V.) who succeeded his brother. The Archbishop's only daughter was married to Sir William Sinclair as here stated. (Crawfurd's Officers of State, 163, 194.)

‡ In the Session Records of Gordon, July 13, 1671, it is mentioned that Alexander Spottiswoode in the parish of Eccles, and Margaret Home in the parish of Ledgertwood, were married in that church, by Mr. Gideon Brown, minister of Ledgertwood.

lawful daughter] of Sir John Home of Crumstain, and had only one son of that marriage, called Alexander, who died without children. To his second wife he had Helen Trotter, fourth lawful daughter of John Trotter of Morton-hall.* There is living of this marriage, a daughter, Janet Spottiswoode, who married Sir Geo. Brown of Thornydiike Bar^t. They have no children as yet (1722).

VII. FILIUS. John Spottiswoode of that ilk, Advocate, married [Helen] Arbuthnot, lawful daughter to the Viscount of Arbuthnot, and relict of the Laird of Macfarlane. And of this marriage he hath two sons,† John and Robert, and two daughters Helen and Anne.

The reader may also consult, Douglas's Baronage, 446—450; Crawford's Officers of State, 160—195; Memoir of Sir Robert Spottiswoode, pref. to his Practicks,—Acts of the Parliaments of Scotland. There appear to have been several families of the name of Spottiswood, of some respectability, settled in the shire of Ayr at a pretty early period. John Spottiswod of Fowler alienates to his son of the same name and his heirs, the “aucht merkland of Scheillis and Scheilkers, within the bailerie of Kylestewart,” &c., June 22, 1578. (Notes of sasings, &c., taken by S. Mason, town clerk of Ayr.) William Spottiswoode is served heir to his father, John Spotiswode of Foullar, in the forty shilling lands of Auchinrugland of old extent within the bailliary of Kylestewart, Jan. 23, 1600; and in the following May, William Hamilton is served heir to his father, William Hamilton of Sanchair, in the same lands. John Spotiswode of Fowlair is served heir portioner of Adam Reid of Barskyming, his grandfather by the mother's side, in the fourth part of the six pound lands of old extent of Stairquhyte or Barskyming in Kyle-regis, May 23, 1601. (Inquis. Special. Ayr, 25, 35, 45.) William Spottiswoode of Foullar's latterwill is dated Feb. 19, 1604. His wife, Margaret Prymrois, survived him, and he appears to have left three sons, John, his successor, Adam and William. (Commissary Records of Glasgow.) John Spottiswod of Barnach, seemingly in the same quarter, occurs in these last quoted records, July, 1613. The founder of the Barnach family was Hugh Spotswood, the younger brother of the Superintendent of Lothian, (Douglas's Baronage, 446.)

* The issue of this second marriage was John (VII.), Robert, who died young, Janet, and Catherine who left no succession. (Douglas's Baronage, 449.)

† According to Douglas (Bar. 449) he had but one son, but the authority of this cotemporary writer is perhaps more to be relied on.

NOTE B.—SPOTSWOOD'S EDUCATION AT GLASGOW UNIVERSITY. (Page 72.)

THE following notices appear to relate to the future Superintendent :

1534. Incorporat. die sabbatj xxvij Junij, &c.

Dñs Jo^{es}. Spottifwod fñus dñj Rectorf.

1535. Feb. 8. Dñus Joannes Spottifwod proceeded Bachelor.

1536. Mgr. Jo^{es}. Spottifwod is chosen one of the four *intrantes* and *deputati Rectoris*.

1543. Johānes Spottifwod is again elected as above, (Ann. Univ. et Fac. Art.—Records Nos. 1 and 2).

The designation of “servus rectoris” does not often occur in the University Records. The earliest entry bearing any resemblance to it is in 1482, when Johannes durand is called “clericus familiaris rectoris antedicti” (scil. Mag. Joannis broun canonici Glasgueñ ac prebendarij de Glasgw). In 1485, 1513 and 1514, Jacobus bissate, Thomas fargusone burgensis glasgueñ, and fñnlaius lindsay are respectively termed “servus rectoris,” and there are other entries at a later period. It would thus appear that the “servus rectoris” was not a regularly appointed officer of the University, but merely the *private servitor* of the rector, who was generally one of the prebendaries of Glasgow, and whose duties in popish times required that he should always be a clergyman. In confirmation of this opinion there are students designated as servitors of other clergymen. Thus in 1512, Johannes Crafurd, laicus, is called “servitor rectoris de Dowglafs.” The rector whose “servus” Spotswood is called, was “venerabilis et egregius vir Jac. Houstoun subdecanus Glasguenfs.”

The supposition of Crawford (Off. of State, 160) that Spotswood studied Divinity under John Major, at Glasgow, is unquestionably incorrect. In 1518 “Egregius vir mgr Johānes maiorf doctor parisien, ac pri^{lis} regēs collegij et pedagogij dñe vniuersitatf canōicusq; capelle regie ac vicarus de Dūlop” is incorporated with 43 others. In 1521 he is elected one of the *intrantes* and *deputati rectoris* under the designation of “Theologie professor.” In 1522 he is designated “Theologie professor, thesaurarius capelle regie Striulingensis, vicariusq; de Dunlop ac principalis regens dicte collegie.” In the same year “Dominus Decanus Johannes majoris” is one of the *auditores computi*, and also one of the *intrantes* and *deputati rectoris* under the designation of “principalis regens.” (Ann. Univ.—Records, No. 1.) As there is a hiatus in the Records of the Faculty of Arts from 1509 to 1535, no notice of Major appears in it. In 1523 he became a member of the University of St. Andrew's, and continued there during his subsequent residences in Scotland. (Irving's Life of Buchanan, second edit. pp. 373, 4.)

Archbishop Spotswood mentions (Hist. 1655, p. 344,) that his father took the degree of M.A. at Glasgow. His name has not been discovered among the Laureation lists in the Record of the Faculty of Arts.

NOTE C.—SPOTSWOOD'S INTERVIEWS WITH QUEEN MARY. (Page 85.)

BESIDES the mission to the Queen here mentioned, Spotswood being a favourite of her majesty, was sent on many others. A few of them, principally relating to the provision of stipends for the ministers, and all occurring about the same time, may be worth notice. The account of the whole of this period in the text is exceedingly defective.

In the beginning of 1565, letters were directed by the ministers in Kyle to their brethren in Edinburgh, &c. warning them of the activity of the Papists, and of their intention to celebrate mass at next Easterday. By this letter the brethren were so much roused that they drew up a supplication praying that her majesty would "take heid" of their designs. This supplication was received from the Superintendents of Lothian and Glasgow (the West?) by the Secretary, who told them in the Queen's name, "That thare sould be such provision maid, as sould serve to their contentment." In October, Spotswood was again sent (accompanied by Mr. David Lindsay, minister of Leith,) with a supplication to the Queen from the ministers within his jurisdiction, praying for the payment of their stipends out of the thirds of benefices, according to Act of Privy Council. A short time before the meeting of the General Assembly in June, 1566, the Superintendents "with the uther ministers of the kirkis" drew up another supplication to the same effect, which was presented to the Queen, then residing in Edinburgh Castle, by Spotswood and John Craig, and was graciously received. But although favourable answers were given both on this and former occasions, it was not until the act of Privy Council 3d October, 1566, respecting the smaller benefices, and that of December 21, confirming the Queen's assignation of "certane victuallis and money" to the ministers, were passed that they obtained relief. The General Assembly which met Dec. 25, appointed the Bishop of Galloway, Mr. Spotswood and others "to repair to Stirling and to sollicite for the extract of the said assignation from the Comptroller and Clerk-Register, that Letters may be raised thereupon." Accordingly, "after this Assembly," says Knox, "the Bishop of Galloway, with the Superintendant of Lothian and Mr. Johne Row, passing to Stirling, obtained their demands in an ample maner at the Quenes Majesties

hand according to their desire, and likewise they obtained for every borough a gift or donatioun of the Altarages, Annuals and Obites, which before were given to the Papists, now to be disposed for the maintenance of the ministers and schooles within the boroughes, and the rest to the poor or hospital." (Knox's Hist. 1732, pp. 369, 370, 387, 396, 401. Keith's Hist. pp. 560-3.) This Act (entitled "Provisioun for sustentation of the ministeris in Burrowis,") is dated at Stirling 10 Jan. 1566-7, and is inserted in Keith's Hist. pp. 570-1.

NOTE D.—PENSION TO MR. JOHN SPOTSWOOD. (Page 94.)

OURE Souerane Lord, Vnderstanding the gude and thankfull seruice done to his hienes and his prediceffouris be his louit Mr. Johnne Spottifwood, persoun of Calder, Ordanis ane letter to be maid vnder the priuie seale in deu forme to the said Mr. Johnne Spottifwod, and eftir his deceis to James Spottifwod his lau'full sone, off the gift of ane 5erlie pensoun of fevin chalderis five bollis twa pekis 2 p^t pek meill, ffoure bollis twa p^t boll quheit, and fourtie five pund nyne schillingis sex pennys money 5eirlies, to be vplifit and vptane be the said Mr. Johnne, and eftir his deceis be the said James, thair factouris and seruitouris in thair names, Off the reddiest of the fruietis, maillis, teindis, proffeitis, rentes and emolumentis of the abbacy of Deir, at tua termes in the 5eir, Witfounday and Mertimes in winter, be equall portionis, ffor all the dayis, fpace and termes of thre 5eiris nixt eftir the said Mr. Johnnis entres thairto, Q^{lk} is [wes] at the feast of Witfounday last bipast, and of the crop and 5eir of God J^m V^c fourfcoir 5eiris instant, and for the mair fure payment to be maid to the said Mr. Johnne and eftir his deceis to the said James of the said pensoun during the said fpace, hes assignit and be the tenno^r heirof assignis and difponis to thame the saidis four bollis 2 p^t boll quheit to be tane fur^t 5eirle of the mains of Deir of the teindis and fermes pairof, and the saidis fevin chalderis five bollis ij p^{cis} 2 p^t p^c meill to be vptane 5eirle of the reddiest of the ferme meill and teind meill of the parochin of Deir, and the said fowme of fourtie five pundis ixl. vjd. off the reddiest of the thrid of the money of the said abbacy at the said termes; With power to the said Mr. Johnne, and eftir his deceis to the said James, To call and perfew for the saidis victuallis and money assignit to thame, as said is, at the said termes, acquittances and dischargis vpoun the ressait pairof to gif in all or in p^t, q^{lkis} falbe alffufficient as gif the famin wer gevin be the lau'fullie prouidit commendatar pairof; And the said Letter be extendit, &c., with command to

the lordis of Seffion to grant letteris, &c. Subscriuit at Halieruidhous the xvj, day of December, 1580. (Reg. Present. Benef. II. f. 43.)

In the Act of Parliament 1581, revoking all "giftes, fees or frie dispositionis" out of the thirds of benefices, Spotswood's pension is excepted. (Acts Parl. Scot. III. 246.) It was renewed to the same parties, Nov. 26, 1583, for five years, beginning from Whitsunday immediately preceding. (Reg. Pres. Benef. II. f. 92.) But the anonymous biographer of Dr. James Spotswood alleges that it was withdrawn after his father's death (Memor. of his Lyfe and Death, p. 2.)

Oure Souerane Lord Ordanis ane Letter to be maid vnder the privie seale to Mr. Johnne Spottiswood, minister, nominatand and presentand him to the personage and vicarage of Lothermacus and Mordingtoun, liand within the boundis of the Merfs and Lammermuir, Vaikand be deceis of vmq^l Robert, alias S^r Robert Dowglas, last possessor pairof direct to the Superintendent or commissioneris within the saidis boundis, &c. Subscriuit at Halieruidhous, the xj. day of Aprile, 1581 (Reg. Pres. Ben. II., f. 55.)

LIFE OF MR. JOHN WILLOCK.

NOTE A.—NOTICES OF WILLOCK BEFORE THE REFORMATION. (Page 100.)

RESPECTING this part of Willock's life, few notices have been found. Almost every record which might have been expected to contain such information is defective at this very period, and the present note must therefore consist rather of remarks on Wodrow's account, than of much supplementary matter. The name of Willock is not often mentioned in Ayrshire history. The Record both of special and general Retours contains but two instances of it, and there appears in the Records of the Burgh Court of Ayr for this period only one notice of a person of that name. The supposition that he was educated at the University of Glasgow, (Scott's Lives of the Reformers, 53,) is not improbable. His name has not been found among the Incorporati, but this is not wonderful as the Registers are by no means complete. He has generally been considered, (on Spotis-

wood's authority,) to have been a member of the Franciscan order; but Bishop Lesley (quoted by Scott, as above) mentions that he was originally a Dominican friar. Both these fraternities appear to have had foundations in the burgh of Ayr, but the last was by far the more opulent, (Chalmers's Caledonia, III. 490, 1.) Willock appears to have been an earlier convert to the reformed doctrines than Wodrow supposed. He was in England previous to 1541, and during the persecution for the Six Articles in that year was thrown into the Fleet prison, (M'Crie's Knox, 5th edit., I. 171.) He could not therefore have been converted by the preaching of Wishart, who did not return to Scotland till 1544. (Ibid. I. 41.) Willock afterwards became Chaplain to the Duke of Suffolk, the father of the Lady Jane Grey, and is celebrated among the Duke's Chaplains in some lines by Parkhurst Bishop of Norwich. Upon the accession of Mary to the English throne he fled to Embden, as mentioned in the text, (p. 100.) On his last return from Embden, Willock seems to have settled in Ayrshire. In his correspondence with the abbot of Crossraguel, 1559, to be afterwards noticed, (See Note C,) he mentions St. John's Church in Ayr as the place where he taught his "doctrine oppinlye befor the pepil." (Keith's Hist. App. 195.) In the account given by Wodrow (pp. 103, 4,) of the summons of the ministers, there is, as he himself indeed seems to have felt, some confusion of dates. From the accurate researches of Dr. M'Crie, (Life of Knox, 5th edit. I. 248,) it appears that Archbishop Hamilton summoned the protestant ministers to appear before him at St. Andrew's, on the 2d of February, 1558-9,—that this trial was prorogued by the Queen's orders, and that Paul Methven, John Christeson, William Harlaw, and John Willock were summoned to compare before the Justiciary Court at Stirling, on the 10th of May, 1559,—that when the day of trial came, the Queen, in violation of her most solemn promise to Erskine of Dun, ordered the summons to be called, and, on their nonappearance, the ministers to be outlawed and their cautioners amerced.* (Ibid. I. 248, 257, 447. See also Pitcairn's Crim. Trials, I. *406, 7.) The Acts of the Provincial Council of the Scottish Clergy, held in the months of March and April, in the years 1558 and 1559 respectively, contain the following curious article: "Quoniam Paulus Methwen, Willelmus Harlaw, Johannes [Douglas, alias] Grant, Johannes Willocks, Johannes Patritz et alii complures catholicæ fidei et ecclesiasticæ unitatis defertores non solum pestifera hærefeos dogmata diffeminârunt, fed et novum, innitatum, et nusquam ab ecclesia catholica hætenus receptum baptizandi modum induxerunt, unde merito dubitari possit, utrum infantes, ab eis et similibus sic baptizati, verum baptisma

* Willock's cautioner was Robert Campbell of Kinzeandcleugh.

fint consecuti, necne; proinde, ut hujusmodi omnis ambiguitas tollatur, et infantum salutis tutius ac melius consulatur, decrevit hæc synodus, ut tales infantes a sacerdotibus baptizentur secundum formam a Christo institutam et ab ecclesia receptam, in qua quidem ecclesiæ forma sacerdotes proferant hæc verba: ‘Si tu es baptizatus, ego non te baptizo; sed si non es baptizatus, ego te baptizo in nomine Patris,’ etc. adjiciendo etiam asperisionem, oleum, et alia inter baptizandum observari solita, &c.” (Wilkin’s Concilia, IV. 216.) The last notice we find of Willock before the Reformation is his interview with the Queen Dowager immediately before her death. An account of what passed will be found in Knox’s *Historie*, 1732, pp. 228, 9.

Dempster has given the following short but pithy account of Willock: “Joannes Willoxius, perfidus apostata, nefandus sectarius, impiissimi collega Knoxii, Synodo Edimburgensi damnatus, Perthi Deo bellum, non tantum principi, indixit, ædes sacras incendit, religiosos viros mactavit, nihilque non se dignum perpetravit. Joan. Leslæus lib. x. *Histor. Scot.* pag. 547. *Scriptis Impia quædam* lib. I. sed non vidi. Vivebat anno MDLIX.” (Dempsteri *Hist. Ecclesiast. Gentis Scot.* edit. 1829, II. 667.)

NOTE B.—NOTICES RESPECTING THE DIOCESE OF GLASGOW FROM LETTERS
ADDRESSED TO ARCHBISHOP BETOUN AT PARIS. (Page 110.)

IN a letter from Thomas Archibald, chamberlain to Betoun, Archbishop of Glasgow, addressed to his master at Paris, 10th Oct., 1560, (two months before the General Assembly met) it is said: “John Willocks is going to London with the Ambassadors to bring home his wife;* he gets 1000l. yearly off the Bishoprick of Glasgow, [I suspect he is mistaken in the sum, —*Note by Keith*] and dwells in the Dean’s house. All the poor priests that will not recant are banished the Town,” &c. (Keith’s *Hist.* 488, *note*.) Besides the letters by this person quoted by Keith, there are several in a collection of papers, at present in the course of being printed, (from the originals in the possession of the Catholic Church in Scotland,) as a contribution to the Maitland Club by Andrew Macgeorge, Esq. As the earliest of these letters is dated in 1569, they do not contain any additional notices of Willock, but they

* Vpoun the third day of Januar, [1560–1,] the Ambassatouris quhilk past to Ingland for treating of the mariage [of Queen Elizabeth and the Earl of Arran] foirsaid, returnit to Edinburgh at fyve hours at evin, and brocht with thame Johne Willockis wyff. (*Diurnal of Occurrents*, p. 281.)

present us with much curious information respecting the state of the diocese of Glasgow, during a very obscure portion of its history. "And now haifand fik occaſion" he writes to Betoun, Oct. 31, 1569, "aganis my wil, [I] man writ to 3our L. quhow 3our L. is ſummoned be þe perſwation of my Lord Glencarne and uþeris, 3our L. onfreundis, to compeir heir þe fourt of Januar nixt, as 3our L. wil perſaif be þe cope of þe ſaid ſummondis þe quhillk Willem Walcar hes ſend to 3our L., & I preſently wy^t þis ſendis þe cope perof and als I ſend þe cope to þe Dein, prayand him to heft it to 3our L. wy^t his mynd. I adverteft 3our L. of þis at Lammas laſt, and in lik maner of my Lord Regentis mynd to 3our L., bot as 3eit I cowlde nevir [get] anſuir again fra 3our L., & preſently 3our L. pentionaris [procuratouris?] nor na uþer man of law wil procurir for 3our L., and ſwa, wy^tout 3our L. fynd ſome ramaid heiranentis, I can perſaif na uþer thyng bot þe diſpoſitioun of 3our L. benefice to be gevin to M. David Cuningham, ſon to ye Lard of Cuninghamheid. . . . I wreit to 3our L. diuerſs tymis abefor quhow þat my Lord [Regent] had diſponit þis preſent 3eir as he did þe 3eir abefor, and now þai ar takand þe fermis of þe iij^{xx} x [iij^{xx} ix ?] 3eiris and intendis at þe day of þis ſummondis to *ordin Maifter David Cunninggam Superintendand*, and þarefter to ſett all þe landis in ſewferm to fik men as þai thynk expedient." The perſon here mentioned was afterward Sub-dean of Glasgow, and Biſhop of Aberdeen. A conſiderable time previous to this the Earl of Glencairn wrote a letter (dated at Glasgow, Dec. 21, 1568,) to the General Aſſembly, in which he mentioned that he had "put the Kirk in poſſeſſione of the thirds of the biſhoprick of Glasgow" for the ſupport of the miniſters, and requested them "for the placing of *Mr. Johne Porterfield* now banished from Dumbartane, as in lyk manner for *ane godlie learned Ingliſche-man*, and for their reaſonable ſtipends," (Book of Univ. Kirk in Bibl. Acad. Glasg. MSS. F. 1. 1. fol. 62.) Can this have any reference to a ſucceſſor to Willock? John Porterfield is mentioned by Keith as being "a kind of titular biſhop of Glasgow" in 1571. (Cat. Scot. Biſh., Ruſſell's edit. 260.) The Earl of Glencairn obtained yearly grants of the revenues of the Archbiſhoprick for ſome time, but ſeems to have been ultimately thwarted in his wiſhes, for it is mentioned that on the 13th of October, 1570, the "Erle of Glencarne wald not aſſiſt to this parliament, bot departed of Edinburgh, *because my lord regent wald nocht give to him the Archbiſhoprick of Glasgow*," (Diurnal of Occurrents, 191.)

The following ſtatement of Willock's ſtipend occurs in the Register of Miniſters, Exhorters, &c., and their Stipends, in 1567, preſented to the Maitland Club by A. Macdonald, Eſq.:—"Superintendent of the Weſt, having under him Lanark, Remfrow, Dumbertane, Kyle, Carrik and Conygham,—Quheit xxiiij bollis, Beir v chalderis, Aitis lx bollis, Meill iij chalderis, Money v^c. merkis." (p. 2.)

NOTE C.—WILLOCK'S CONTROVERSIES WITH THE POPISH CLERGY. (Page 110.)

BESIDES the "reassouning" with Black mentioned in the text, Willock had some others which Wodrow has not noticed. Of these the most remarkable was that between him and Quentin Kennedy, the well known Abbot of Crossraguel in 1559. It seems most probable, from a letter written by the Abbot to Betoun, Archbishop of Glasgow, that it was at the instigation of that prelate that he proceeded to Ayr for the purpose of encountering Willock. "Ferther pleis 3our L. to witt," says the Abbot in that letter, "accordyng to 3our wrytting sent to me with the Priour of the Black Friaris, I passit on Pasch evin till Ayr, and thair remainit aught Dayis. Afoir my cumin, Willock had prechit with intolerabill exclamatiouns, cryand out on the Mefs, persuadand the haill Peple that he exponit certane Scriptures allegit be him truelie conforme to the judgement of the Doctoris, and allegit thame to be expresse against the Mefs, and the Ydolatrie usit be it. . . . I perfaivand the Peple abusit in the Maner, I wes constrein3it on my conscience to oppone myself to this wickit Lymmaris Herefie and Doctrine, and nochttheles eftir ane generall Maner, and causit my Wryttingis to be maid manifest to all the honest men of the Town: Schortlie thair wes diverse Wryttingis past amangs us, sic as I beleif 3our L. hes nocht herd of befoir, of the quhilk 3our L. fall refave the just Copie. For Conclusioun, I draif the Lymmar to that Point, that I constrein3it him to refuse the interpretatioun of the Doctoris allegit be him and all utheris, bot sa far as he thocht thay war agreable with the Worde of God, quhilk wes as gud as rycht nocht. . . . 3our L. fall undirstand, that quhen the Day of our ressoning come (quhilk wes Sounday last wes) thair convened above four or five hundred to fortifie him: Truelie, my Lord, and I had pleissit, I culd haif beyn twyfe als mony; for my Broder Sone, my Lord Eglinton, and all thair Friendis and Servandis, wes in reddines as I wald pleisse to charge, bot alwyse I wold nolder suffer thaimselfis nor 3it thair servandis to cum; for gif I had done utherwyse, it had not fail3ied Cummyr: Thairfoir I wes allutterely companied with religious men, with swa mony Gentilmen as I causit bere witnes to the Mater." (Keith's Hist. App., 193, 4.) The correspondence between Kennedy and Willock follows this letter. The result of it is thus mentioned by the Abbot: "Willock and the rest of his Counsell labourit earnestlie to sie gif I wald admitt the Scripture onlye juge, and be that meines to haif maid me contraray to my awin buke, bot thair labouris wes in waist." This is only so far correct. Both parties, it also appears, agreed to consider the Scriptures as the common ground on which to found their arguments, but while Kennedy held that, when they differed in their interpretation of Holy writ, the fathers should be considered the *infallible guides*, Willock insisted that their interpretation should be open to

review and supported this position by quotations from their own writings. Willock at length agreed to appear at the appointed place on the following Sunday at 10 o'clock. To his last letter no answer appears to have been returned, but on the appointed day, "*immediate post horam decimam ante meridiem*," an Instrument was taken in the hands of a notary by John Blair in name of the Abbot, that "the caus of the Ressoning ceassing was in the said John Willock;" (Keith's Hist. App. 193—9.) It appears from the statement of Sir Alexander Boswell, (Advertisem. to Kennedie's "Oratioun,") that "Willock having waited till ten o'clock in the morning, did not think it expedient to wait longer; and the Abbot, on his arrival, not finding him at the place appointed for the disputation, had recourse to the singular expedient of taking a protest," &c., as here mentioned. If, as stated in that instrument, the reasons of protest were intimated at 12 o'clock to Willock personally in the pulpit of the parish church of Ayr, it seems odd that he did not at least adopt some means to procure another meeting. On the other hand, however, it may be argued that the whole transaction is related by an adversary, who seems to have felt that his replies to Willock's letters were not "swa perfyte as myster war," and who therefore had many inducements to give a partial statement of it to the Queen and to his diocesan. The truth, but not the whole truth, may be stated.

Keith (on the authority of Bishop Lesley) also mentions a controversy betwixt Willock and Robert Maxwell, Schoolmaster at Glasgow, (Hist. p. 501.)

LIFE OF MR. JOHN WINRAM.

NOTE A.—WINRAM'S EARLY LIFE AND MISCELLANEOUS NOTICES OF HIM.

(Page 120.)

No very minute information has been obtained regarding the family of Mr. John Winram. Dr. M'Crie (Life of Melville, 2nd edit. I. 191, *note*) mentions him to have been "of the family of Rathow:" and many of his relations and connexions are mentioned in Notes E and F of this Life. Respecting his education and contemporaries at the University of St. Andrew's, Dr. Lee has transmitted the following notes. To that gentleman the Editor is, indeed, as

noticed in the preface, indebted for the matter of nearly all the annotation to this Life.

There is some confusion of dates in the matriculation book of St. Leonard's College in the early part of the 16th century, but the following entry appears to be under the head of Incorporations for the year 1513:

Johannes Wynrem nationis Laudoniæ. (In 1516, there is also Gilbertus Wynrem na. Laudoniæ.)

In the book of the Faculty of Arts under date March 17, 1515, are the following Bachelors of Arts:

Nomina determinantium Anno Dom. 1515.

Primus actus in Collegio Stⁱ Leonardi.

| | | |
|-------------------------------|---|-----------|
| Will ^{mus} . Hunter, | } | pauperes. |
| Tho. Brydy, | | |
| Tho. Fyf, | | |
| Rob ^{tus} . Coldan, | | |
| Johannes Bruyss, | | |
| Rob. Sluchtman, | | |

2dus Actus in Collegio Stⁱ Leonardi.

| | | |
|---------------------------|---|-----------|
| Dominus Ninianus Bard, | } | pauperes. |
| Jo. goul, | | |
| Jo. Douglass, | | |
| Jo. Wynram, | | |
| Jo. Dunkanson, | | |
| Alex ^r . Alan, | | |

3tius Actus in Coll. Stⁱ Leonardi.

| | | |
|----------------|---|-----------|
| Patricius Gaw, | } | pauperes. |
| Tho. Trayl, | | |

Imus Actus in pædagogio (St. Mary's College.)

Jo. Henderson, ... dives.

Imus Actus in Coll. Stⁱ Salvatoris.

Willelmus Garn, ... dives.

| | | |
|------------------|---|-----------|
| Alex. Gourlay, | } | pauperes. |
| Dunkanus Irland, | | |

2dus Actus in Coll. S. Salvatoris.

Da Abircrummy, ... dives.

Geor. Sydserwe, ... dives.

Da. Ruderfurd, ... dives.

Malcolmus Baxtar, ... pauper.

After the year 1515, no trace of John Winram appears in any of the University books till 1532, when he is mentioned as one of the Rector's assessors, and he is then designed *Dñum Johannem Winrem canonicum ac baccalarium in Theologia*. In an Instrument of sasine, dated May 17, 1532, he and Thomas Cunningham are designed *discretis et honestis viris canonicis regularibus monasterii Sancti Andree*. In 1534, being one of the four intrants or electors of the Rector, he is designed *Domini Joannes Wynrame tertius prior*. This year and 1535 he was also one of the Rector's deputies. In 1536 he was one of the assessors of the Rector, and was then designed *Dom. Jo. Wynrame subprior*. In 1537 he is named in the three capacities of an elector, an assessor, and a depute of the Rector, and is designed *Dñs Jo. Wynrame subprior ecclesiæ metropolitanæ Sancti andr.* In 1539, he is called *Subprior monasterii Sancti Andree*;—in 1540, *Jo. Wynrame, Doctor theologus, cænobii Sancti andr. Subprior*;—in 1544, *Subprior conventus Sancti andree*;—in 1545, *Diri Andree Cænobii Subprior*;—in 1550, *Sacri conventus Andree Subprior*;—in 1551, *Vicarius de Dow ac Subprior Cænobii Sancti Andr.*;—in another page, *Subprior Monasterii Sancti Andr.*;—in a presentation of a chaplainry in favour of Andrew Archibald, May 25, 1554, he is thus designed, *Dom. Joannes Wynrame sacr. litt. P. rector de Dowell sive potius Ecclesiæ parochialis ejusdem vicarius perpetuus, monasteriiq; Sancti Andree Subprior*. In 1556, as one of the assessors he is designed *Magister noster Johannes Wynram augustissimi cænobii Andree Subprior*. In 1561, as one of the visitors of St. Salvator's College, he is designed *Jo. Wynram sacrarum literarum doctor et superintendens Fifæ*. He is so named till 1572, when he is called *Superintendens de Stratharne*. In 1574, he is again called *Superintendens de Fifa*;—in 1575, *Superintendens Fifæ et Subprior Cænobii Sancti Andree*;—in 1575 and 1578, *prior de Kirkness*;—in 1580, *prior de Portmoak*;—in 1581-2, (Cal. Martii), *prior Insulæ Sylvanæ*.

The above notes except one are all taken from one book. In another book, from 1562 to 1569, he is generally called *Superintendens Fifæ*;—in 1570, *Æconomus prioratus*;—in 1572, *Superintendens de Stratherne*;—in 1574, *Prior de Portmoak*;—in 1575, *Superintendens de Fuff*;—from 1576 to Sept., 1582, *prior de Portmoak*. In another book he thus subscribes his name in 1578: *M. Jo^s Wynram prior insulæ sancti servani intra lacum de Levin*.

After his death we find Mr. James Wilkie styled Prior of Sanct Serfis inche within Lochleven, and maister principal of St. Leonard's College.

The ancient Priory of Portmoak (a Monastery of Lochleven) so called from St. Moak the first abbot of it, was founded by Eogachman King of the Picts,

and consecrated to the Blessed Virgin Mary, *anno primo regni sui*. This Monastery is said to have been the first place in Scotland given by the Pictish Kings after their conversion to Christianity to the Keledei or Culdees, or as Fordun calls them Cultores Dei, by Macbeth son of Finbech, *regnante Davide primo anno 3 regni sui* (Sir James Balfour.) The Canons, who were of the order of St. Augustine, and their prior often resided at Kirkness, and the Monastery and Convent of St. Andrew's were constant patrons of it, as appears from the charter of union of that Priory to St. Leonard's College by Mr. John Winram, 5 Oct., 1570. (Martine's Reliq. D. Andr. 162.) This deed is subscribed by 25 other Canons of the Monastery, besides John Winram.

Having given the preceding notices of Winram's academical education and his subsequent designations, it may be proper before concluding this miscellaneous collection to put together such scattered facts as show his connexion with the more public affairs of the times.

Winram was present at the provincial council of the Clergy in 1549, and is designated, "ecclesiæ metrop. primitialis S. Andreæ canonicus regularis Subprior, theologiæ doctor." He was employed by that council to draw up the canon intended to settle the warmly-agitated question, Whether the *Pater Noster* should be addressed to the Saints, or to God alone. In 1559, he again attended the Council of the Clergy, and was nominated one of six persons to whom the Archbishops of St. Andrew's and Glasgow submitted the examination of their private conduct. (Dr. M'Crie, Life of Knox, 5th edit. I. 424, 5, quoting Wilkin and Fox.) Thus up almost to the very establishment of the Reformation did he act decidedly with the Catholic Clergy. Nor can he be charged with negligence in attending the secular Courts. He appeared at the parliament held at Edinburgh, August 1, 1560 (Acts Parl. Scot. II. 525.) He is mentioned by the anonymous author of the Diurnal of Occurrents, (p. 77) as having been present at that of 1563, and as having been elected one of the Lords of the Articles, but the dates do not exactly correspond with the parliamentary record (comp. Diurn. p. 76 with Acts Parl. Scot. II. 535.) His appointment by that parliament as a Commissioner to visit the Colleges of St. Andrew's will be afterwards noticed, (*infra*, Note D.) He was present at the parliaments held Dec., 1567, and July,—Nov., 1568, on both which occasions he was again elected one of the Lords of the Articles (Acts Parl. Scot. III. 3, 4, 46, 47, 57.) On the 29th of August, 1571, the Queen's lords forfeited him and many others, in return for which he a few days afterwards accompanied the Regent and his party from the Castle to the Tolbooth of Stirling, where they paid a similar compliment to the Duke of Chatelherault and his adherents (Diurnal of Occurrents, pp. 243, 245.) Winram attended the

Convention of Estates, held at Holyroodhouse in March, 1574, and by that Convention he and others were appointed "to convene, confer, ressound and put in forme the Ecclesiasticall policie and ordour of the governing of the Kirk." (Acts Parl. Scot. III. 84, 89.) The parliament of 1579, named him one of the Commissioners to carry into effect the Reformation of the University of St. Andrew's then ratified (Ibid, 182, see also Note D.) On the 29 July, 1580, he appears to have executed a deed conveying the priory of Portmoak to the principal masters and members of St. Leonard's College, which deed was confirmed by Act of parliament in 1581, "provyding alwayis that this present ratification and confirmation on nawayis hurt nor preinge M^r Johne Stewart prouest of Striueling, and Constable of the Castell thairof, anent his pensiou of xx li grantit to him furth of the said priorie, quhairof he his bene in possessioun thir diuerss' 3eris bygane." (Ibid, 278.)

NOTE B.—TRIAL OF SIR JOHN BORTHWICK FOR HERESY. (Page 121.)

It is singular that Wodrow should have omitted to notice the part which Winram took in the condemnation of Sir John Borthwick for heresy in 1540. The Miscellany of the Bannatyne Club (Part II. pp. 251, et seqq.) contains a "Declarator in the Court of the Superintendant of Fife, MDLXI., upon the articles and sentence against Sir John Borthwick, Knight, by Cardinal Beaton, MDXL." Respecting the trial and subsequent acquittal of Borthwick, the prefatory notice of this "Declarator" contains the following information furnished by Dr. Lee:

"Sir John Borthwick was one of the sons of William third Lord Borthwick, who was slain at Flodden in 1513. He is described in a Charter under the Great Seal, 21st August, 1513, as next in succession to the son and heir of William fourth Lord Borthwick. Knox and other writers call him Captain Borthwick, and Sir Ralph Sadler in 1539-40, mentions him repeatedly as Lieutenant of the French King's Guard, and as a confidential and favourite servant of James V. It is probable that his intimacy with Sir Ralph Sadler contributed to excite the suspicion and dislike of the clergy, and that his marked familiarity with Sir David Lyndsay, whose Satyre of the Three Estaittis was presented about this period at Linlithgow, (of which town Borthwick is said to have been provost) did not by any means tend to ingratiate him with the supporters of the declining interest of the Church of Rome. Sir John died between the years 1565 and 1570, at which last date we find William Borthwick mentioned as son and heir of the late

Sir John Borthwick of Cinery, (Reg. Mag. Sigil. lxxxiii. No. 55.) His condemnation as a heretic is transiently noticed by several of our historians, and the articles preferred against him, with the answers which he published after his escape, have been inserted by Fox in the Second Volume of his Acts and Monuments. From Fox the account of the process is professedly copied by Keith in his Appendix to the History of Scotland (p. 6.), but he has omitted several material parts of the charge which are faithfully detailed by Fox, particularly that which relates to the reading of the New Testament in English and other prohibited Books. The translation from the Latin both in Fox and Keith is in some parts so inaccurate as to be quite unintelligible. No writer has ever yet published an account of the reversal of the sentence. The circumstances attending the second judicial inquiry are remarkable, particularly in this respect, that that judge who presided in the Court by which Borthwick was unanimously acquitted in 1561, was one of those 'plain enemies to the truth' described in the Process of Declarator who had sat on his first trial in 1540, and had been consenting to his condemnation. This was John Wynram (inaccurately named *Winton* by Keith,) the Subprior of the Augustinian Monastery, afterwards Superintendent of Fife, author of a Catechism of which no copy is known to exist. If it were possible to recover the private memorials of John Wynram, many curious particulars in the secret history of the Reformation might thus be supplied. He was a man of an intriguing turn, and probably was admitted to the confidence of men of both parties. It is not understood that he ever made any very strenuous efforts in supporting the Protestant Doctrines, but he was allowed to retain some of the most lucrative appointments in the Church, along with the dignity and honour of a Superintendent."

The Register of the Privy Seal contains a letter, dated at St. Andrew's the last day of February, 1562, restoring Borthwick to all his lands and privileges. (See M'Crie's Knox, 5th edit. I. 368, 9.)

NOTE C.—NOTICES OF WINRAM AS SUPERINTENDANT OF FIFE. (Page 122.)

Wodrow erroneously supposes Kirkness to have been an estate of which Winram was the proprietor, and appears also to suppose that Winram and Erskine of Dun were appointed Superintendents before they were admitted to dispense the word and sacrament. The fact is plainly this: The first

General Assembly on the 20th of Dec., 1560, named a number of persons who were thought fit for ministering the word and sacraments, or at least for publicly reading the common prayers in the churches. In Kyle (a district of Ayrshire) eight persons were nominated as readers, and one as apt to teach. In St. Andrew's twenty one were selected for ministering and teaching, and in this list John Winram's name is the seventeenth in order, being placed after the names of many other persons who were greatly his juniors. A third list follows of twelve persons, the first of whom is John Erskine of Dun, all thought apt and able to minister. To none of all these is any particular station assigned. But a thirteenth name is added of one who was thought apt and able to minister, after having been presented to a charge by a lay patron, who had distinguished himself as a reformer twenty years before. This was "Mr. John Ramsay presentit be Sir John Borthwick as minister in 'the Kirks of Aberdonr and Torrie." At a subsequent diet (27 Dec.) the Assembly "appointit the electioun of the ministers, elders and deacons to be in the public Kirk, and the premonitioun to be on the Sondag preceding the day of the electioun." In the book commonly known by the title of Knox's Liturgy, may be seen "the form and order of the election of the Superintendents, which may serve in election of all other ministers" exemplified in the case of the Superintendent of Lothian. After sermon by John Knox, minister of Edinburgh, on the 9th of March, 1560-1, (nearly three months after the meeting of the first General Assembly,) "it was declared by the same minister maker thereof, that the Lords of secret council had given charge and power to the churches of Lothian to choose Mr. John Spottiswod Superintendent, and that sufficient warning was made by public edict to the churches of Edinburgh, Linlithgow, Stirling, Tranent, Haddington and Dumbar, as also to Earls, Lords, Barons, Gentlemen and others that have or that might claim to have voice in election, to be present that day at the same hour." Inquisition was made who were present and who absent, and then it was three times demanded, 1. If any man knew of any offence or crime disqualifying the said Mr. John for that office, 2. If any other was proposed, and 3. If the people would receive and honour the said Mr. John as Superintendent. When the people had signified their consent, the ceremony of admission proceeded in the manner detailed in the book to which reference has now been made. See also *supra*, pp. 75-9.

The election of Mr. John Winram as Superintendent of Fife was subsequent to that of Mr. John Spottiswod for Lothian. In the record of the Kirk session of St. Andrew's is preserved a minute, dated March 20, 1560-1, and entitled "Electioun of Maister 'Jhon Wynram in Superintendant of Sanct Andr^s. diocese." This minnte is subscribed by "Cristofer Gudman, minister, Mr. Alane Lawmonth, Mr. Thomas Balfour, Jhone Moffat, Mr. Martyn Gedde,

Jhon Motto, Mr. Robert Pont, John Wod, eldaris, David Spens, Thomas Welwod, George Blak, diaconis of Sanct And^rs." Another minute afterwards occurs, beginning thus: "The forme and tenor of the edict executit in cheryn of the inhabitants of the diocy of Sanctandr^s. to the electioun of Maister Jhone Wynram in the office of ane Superintendent, quhai was elected and chosyn in Superintendent of Fyff, Fothryk and Strathern, within the parochin Kirk of the citie of Sanctandr^s, upon Sunday the 13 day of April, in the 5ear of God m^o. v^o. lxxj 5earis, be the common consent of lordis, barronis, ministeris, eldaris of the saids bowndis, and otheris common pepill for the tym according to the order provydit in the buk of reformatioun. Seing it hath pleased the mercy of our God so to illuminate the hartis," &c.

On the 25th of April, 1561, the same record contains a statute concerning the trial and admission of ministers, exhorters or readers in the following terms: "The quhilk day it is provydit, statutit and ordered be the Superintendent and holl ministerie, with consayle of the provost of Sanctandr^s, rector and chief members of the Universitie, anent the tryall and admyssioun of ministeris of the holl diocye, that sa many ministeris, exhortaris or readaris as ar already placed in Kyrkis dotfullie, pat the superintendent in his visitatioun tak tryall of everie ane particularlie be hearing of thair doctrin, reading in the Kyrkis [quhair] pai ar placed, and inquire of par lyff and conversation be inquisitione amang thair flock. And as concerning the admisioun of otheris pat are not placed, it is ordened pat in tym cuming all sic as pretendis to be admitted to minister in ony Kirk within the boundis of Fyff, Fothryk or Strathern, sall compeir within this citie, at sic daye and place as sall be assignit to them be pe superintendent, to be examined fyrst privatlie upon the chief puntis and heads in contraversy, and parefter ane portioun of text assignet to the minister to declar in the pulpat in the assemblee, and to the exhortar or reider to reid or exhort in the public assemblee."

The authority of Mr. John Winram as Superintendent, was not very respectfully acknowledged by all who were under his jurisdiction. In July, 1561, a process was instituted "against Mr. Alexander Wardlaw, pretendit parson of Balingrie, for the offence, injurie, and blasphemie don and said against Mr. Jhon Wynram, Superintendent of Fyff," &c. This Mr. Alex. Wardlaw had ministered the sacraments of baptism and the supper of the Lord since the election of the superintendent without being admitted thereto, "And becaus the Superintendent caused ane minister admittit baptise ane bairn, Mr. Alexander injurit the Superintendent, affirmand himself to be minister of pat Kirk lawfullie chosen and provydit p'to, and that he wald not be ane reader to Jhon Knox nor ony other in Scotland." He also called Mr. John Winram "that fals, dissaitfull, greedy and dissemblit smayk, for he wes ane of thaim that maist oppressed, smored, and held down the word of God, and now he is cum in to it

and professes the same for grediness of geyr, lurkand and watchand q^h he maye se ane other tym, and farther ekit and sayd befoyr the sam personis abowe wryttyn, and said, 'Or I war not rewenged of that fals smaik, I had lower renunce my part of the Kyrk of God.'

Many of the Acts of the Superintendent of Fife are extant in the oldest Record of the Kirk Session of St. Andrew's. Some of the causes which came under his cognizance about this period indicate a very disorderly state of society, and too often exhibit traces of great incorrectness on the part of the ministers. Thus, on the 8th of October, 1561, John Melwyll, minister of Cristis Kirk in Craill, complained that certain persons threatened to pull him out of the pulpit by the lugs. The Superintendent gave sentence against the offenders. It afterwards appears that this John Melvill (the brother of the famous Mr. Andrew Melvill) was not very uniformly circumspect in the discharge of his own professional duties. On the 27 of Jan. 1562, the Superintendent gave decreet against him, "because thio he was sufficiently advertiseit of the impediment and pleye of marriage depending betuix Peter Jak and Besse Buge," yet he allowed Thomas Skyrlling, reader in Crayll, to solemnize the marriage of Peter Jak and another woman. About the same time, (Jan. 1562,) Mr. David Wood, minister of Kinghorn, was required to ask forgiveness on his knees from John Brown, reader in Kinghorn, for calling him hypocrite, rascally knave, idolater and massmonger, and to confess his fault before the congregation of Kinghorn, and then to be deprived of his ministry for some time, at the discretion of the Superintendent. March 15, 1563. John Ferguson, reader in the Kirk of Abyrcrummie, and Marion Grymmen his harlot, were summoned. He was deprived of his office in the kirk, ay and till his repentance.

The superintendents were not so incapable of assuming high titles as is often imagined. It is not uncommon in the record of the court over which Winram presided to call him the Lord Superintendent. Thus on the 30th of March, 1569, James Thomson in Balmerino, was summoned with my Lord Superintendent's Letters; and in March, 1560, before the Superintendent was elected, a petition begins, "My Lordis, Minister and eldaris, &c., unto your Lordships humilie menis, complomenis and schawis I your servitrice," &c.

After the year 1571, when a protestant Archbishop was appointed to the diocese of St. Andrew's, the style and consequence of the Superintendent were somewhat depressed. But the record bears on the 4th of April, 1571, that the Assembly (*i. e.* the Session) "thinks guid that the Superintendent be present with them according to the accustomed manner in trying and examining of the persons given up be him, and also that he present the inquest and delators names."

NOTE D.—ACTS OF VISITATION OF ST. LEONARD'S AND ST. SALVATOR'S COLLEGES.
(Page 123.)

WODROW has not noticed Winram's connexion with several visitations of the Colleges of St. Andrew's. Some of the enactments of these visitations are extant. The following have been communicated by Dr. Lee.

Various acts of visitation of the College of St. Leonard's, "per Dominum Joannem Wynram Subprioriorem Monasterii S. A. Sacrarum Literarum professorem eximium, Dom. Davidem Guthrie tertium priorem, &c.," are still extant. One is dated 12 Nov., 1544, another 13 Nov., 1545, a third 19 Nov., 1550.

The regulations prescribed are generally very curious. In 1550, the disuse of the Latin Tongue is complained of and required to be corrected as follows: 'Item luce clarius compertum est in ipso collegio inolevisse desuetudinem lingue Latine, in non modicum contemptum statutorum loci, quibus districte inhibetur, ne quis collegialiter conversantium utatur lingua vernacula præter coquum et ejus parvulum. Mandant igitur præfati venerandi Domini Visitatores, ne quis de cetero in hoc collegio Leonardino collegialiter conversantium utatur idiomate vulgari sed studeant singuli honestè et Latine loqui potissimum in tabula. Si qui vero studentium fecerint secus, per magistrum loci principalem seu per proprium ipsius regentem virgis ut supra coerceatur. Si autem aliqui ex regentibus, capellanis, aut aliunde collegialiter viventibus id fecerint, per magistrum principalem multa pecuniaria refrenentur.'

Another Statute is, 'Item locetur curatus in camera juxta portam anteriorem ut audire possit parochianos clamantes pro administratione Sacramentorum.' The curate (Mr. John Fife) is very peremptorily required to be duly prepared before Easter to sing the Vespers and Masses. There are other regulations about altars, copes, surplices, &c., which do not indicate any great desire on the part of Mr. John Winram and his coadjutors to relinquish the most useless observances of the Church of Rome.

A Commission, of which James Earl of Murray, the Bishop of Ross, Secretary Maitland, Mr. James Macgill of Rankellour Nether, Sir John Bellinden of Auchnoull, Mr. John Spens of Condie, George Buchanan, Winram, and Erskine of Dun were members, was appointed in June, 1563, to inquire into the state of the University of St. Andrew's. (Acts Parl. Scot. II. 544. Irving's Life of Buchanan, 2d edit., p. 177.) Dr. Lee has also favoured the editor with the following note on the subject:

"The only paper of that date which I recollect at present contains a number of Acts of Visitation of St. Salvator's College, 15 Sept., 1563, subscribed by John Douglas, Rector, (afterwards Archbishop,) John Winram, Robert

Hamilton, William Skeyn, and John Lamont. Several of the regulations prescribed by these visitors are curious, *e. g.* as the poor students complained of the spare diet, especially on fish days, when each of them had only one egg and one herring, the Principal was ordered to augment the quantity of victuals, and to take care that neither in quantity nor quality should the portions be inferior to those of the poor students in other colleges.

In 1578 another Commission was appointed for visiting the Universities of St. Andrew's, Aberdeen and Glasgow, (Acts Parl. Scot. III. 98.) Nothing was done by this Commission till the General Assembly urged the inquiry, especially in reference to the state of the University of St. Andrew's. His Majesty, with advice of the Lords of Privy Council, "ordanit and commandit the maisteris of the said Vniuersitie to be at Edinburgh at ane certane day w^t the fundationis of thair Collegis, to be sene and considerit be ony sex, five or foure of sic noble, reuerend and circumspect personis as his maiestie w^t auise of his said counsaile had chosine." Their report (signed, Levinax, R. Dumfermling, G. Buchannane, James halyburtoun, P. Young,) is inserted in the Act of "Ratificatioun of the reformatioun of the vniuersitie of St. Androis" by the parliament of 1579. Robert Earl of Lennox, Andrew Earl of Rothes, Patrick Archbishop of St. Andrew's, Patrick Lord Lindsay of the Byres, Robert Commendator of Dumfermling, John Erskine of Dun, John Winram Prior of Portmoak, and James Halyburtoun Provost of Dundee were appointed Commissioners "in executioun of the said reformatioun." (Ibid, III. 178—182.) See also "Act in fauouris of the Vniuersitie of Sanctandr^s," 1609. (Ibid, IV. 442, 3.)

NOTE E.—LAST WILL AND DEATH OF JOHN WINRAM. (Page 130.)

THE testamēt testamētar and Inuētar of þe gudis, geir, foumes of money, & dettis pertenīg to vmȝle ane honorabill man, maister Johne wynrham, fūtyme superintendent of fyf, and prio^r of fanēt fārfis Infche wⁱⁿ lochleuin, þe tyme of his deceis, quha deceift vpoun þe xxviij day of feptēber, the zeir of god jM v^c lxxxij ȝeris, flaihtfullie maid & gevin vp be himself, concernīg þe nōiatioun, Legacies, dettis awand be him & to him, and ane pairt of þe Inuētar of his gudis, and pairtlie maid & gevin vp be maister Johne Wynrham of craigtoun his bruper sone, as concernīg ane vper pairt of þe Inuētar of his gudis. Qubilk maister Johne is onlie exē^r acceptand nōiat be þe said vmȝle mr. Johne in his latterwill vnder-

written, Off ye dait the viij day of september, The 3eir of god foirfaid, as pe samⁱ at lenth proportis.

In the first pe said vm^qle Johne wynrhame, fūtyme superintendent of fyf, had pe gudis, geir, fomes of money, & dettis of pe avale & prices estir following, pertenig to him as his awne propir gudis & geir, pe tyme of his deceis foirfaid, viz., In nowmerat money pe soum of fourtie pundis. Item, in abulzemētis of his body by pe airschip estimat to pe soum of fourtie pundis. Item, of siluer wark by the airschip estimat to pe soum of fourtie pundis. Item, in vtencilis & domicilis by pe airschip estimat to the soume of lxxx^{li}. money. Item, his hail bukis by pe airschip estimat to tuentie pundis.

Sūma of pe Innētar, ... ij^c. xx^{li}.

ffollowis pe dettis awand to pe deid :

Item, pair wes awand to pe said vm^qle mr. Joⁿ. wynrhame, fūtyme superintendent of fyf, be alex^r. stewert of pe kers for pe candilmes terme in āno j^m v^c. lxxix 3eris, of pe tua pairt of pe personage of dull, pe soum of xxxi^{li}. ij^s. iiij^d. Item, mair awand be pe said alex^r. stewert of pe kers for pe mydsomer & candilmes termes deueteis of pe said personage of dull in āno j^m v^c. lxxx 3eris, pe soum of lxij^{li}. iiij^s. viij^d. Item, mair restand awand be pe said alex^r. stewert of pe kers, for pe mydsomer & candilmes termes deuetic of pe said personage of dull, in āno j^m v^c. lxxxj 3eris, pe soum of lxij^{li}. iiij^s. viij^d. Item, mair awand be pe said alex^r. stewert of kers, for pe mydsomer termes deuetic of pe said twa pairt of pe personage of dull, in āno j^m v^c. lxxxij 3eris, pe soum of xxxi^{li}. ij^s. iv^d. Item, mair awand be pe said alex^r. stewert of pe kers, for pe pasche terme of pe vicarage of dull, in āno j^m v^c. lxxxij 3eris, pe soum of xxxiiij^{li}. vj^s. viij^d. Item, mair awand by pe said alex^r. stewert of pe kerse, for his mertymes mail of his half of pe kirkland of dull, in āno j^m v^c. lxxx 3eris, witsonday & mertymes in āno j^m v^c. lxxxj 3eris, and pe witsonday terme in āno j^m v^c. lxxxij 3eris, pe soum of xiiij^{li}. vi^s. viij^d. Item, awand be pe laird of grantullie for his thrid pairt of pe personage of dull, pe mydsomer terme in āno lxxvij 3eris, pe soum of xv^{li}. xi^s. ij^d. Item, be robert boissuell in pe ryallie for his fermes & teind restand to belltyme in pe 3eir of god j^m v^c. lxxxij 3eris, pe soum of xxv^{li}. Item, be pe laird of cāmo for his witsonday male of eister balrynmontli, in āno j^m v^c. lxxxij 3eris, pe soum of v^{li}. iij^s. iv^d. Item, awand be andro Imrie pe soum of iij^{li}. xiiij^s. iv^d. Item, awand be James hagy pe soum of iij^{li}. xiiij^s. iiij^d. Item, awand be george ramesay of langraw for his witsonday male in āno j^m v^c. lxxxij 3eris, pe soum of v^{li}. xi^s. iiij^d. Item, awand be robert bruce of pitlochie for thrie termes male of pe landis of pitlochie, viz., witsonday & mertymes in āno lxxxj, and pe witsonday terme in āno lxxxij 3eris, pe soum of xl^{li}. iij^s. iiij^d. Item, awand be

pe tēnētis of denheid for p^r. witfounday male in āno j^m v^c. lxxxij ʒeris, pe foum of x^{li}. Item, awand be pe tēnētis of dambray for p^r. witfounday males in āno j^m v^c. lxxxij ʒeris, pe foum of ten pund. Item, awand be Johne blak for thrie ʒeris male of Inuerbrig, pe foum of iiij^{li}. money. Item, awand be vmq̄le Johne broun, sūtyme citiner of fanctandrois, for pe rest of victuall fauld and deliuerit to him pe foum of viij^{li}. money. Item, awand be pe tēnētis of k̄n̄month for pair teindis assignit to pe defunct in penfoun of pe crope and ʒeir of god j^m v^c. lxxxij ʒeris, xx bollis aittis, price of pe boll ouerheid xl^s. Sūma xl^{li}. Item, awand be pe tēnētis of balgois for pair teindis in āno j^m v^c. lxxxij ʒeris, tua bollis quheit and tua bollis beir, price of pe boll o'heid iiij^{li}. vi^s. viij^d. Sūma xij^{li}. vi^s. viij^d. Item, be James Wynrhame, taxman of pe teindis of kirknes, auchm^r. & realle and vperis addettit in paymēt p^rof, for pe teindis greit & small pairof in āno 1582, lxx^{li}.^{*} Item, be pe said James for few male v^{li}. x^s. of pe mans of kirknes.

Sūa of pe dettis awand to pe deid, ... iiij^c. lxxxxiij^{li}.

Sūa of pe Inuētar w^t. pe dettis, ... vij^c. xij^{li}.

ffollowis pe dettis awand be pe deid :

Item, pair wes awand be pe said vmq̄le maister Johne Wynrhame, sūtyme superintendent of fyf, to willame Mortoun seruand, for his fie of pe mertymes terme in āno j^m v^c. lxxxij. ʒeris, pe foum of xl^s. Item, awand to ar^d. uddert vnder cuik for pat foure termes fie, pe foum of xx^s. Item, awand to Johne hodge seruand, for his fie to mertymes nixttocū, pe foum of iiij^{li}. Item, awand to reliēt of williā stevinfoun, mafone, for seruice done be him in kirknes, pe foum of iiij^{li}. vi^s. viij^d. Item, awand be [to?] alane reid for seruice done in kirknes be his father and himself, pe foum of ten^{li}. Item, awand to m^r. robert wynrame of ratho, his bruther germane, lx. bollis victuall, half beir half meill, as for ane ānuelrent of xx. bollis victuall foirfaid ʒeirle, restand awand to him out of pe north half landis of craigtoun,† price of pe boll ʒeirle o'heid,

* The following deed is dated 26th April, 1580 : Be it kend, &c. Me Mr. Johne Wynrahame, prior of Sanet Serfis Inche within Lochlevin, for guid and reassonable causis, moving me heirunto, the weil, utilitie and proffit of my said priorie alwayis foirsene and considerit, and for the sowme of twa hundretht pundis money of this realme deliverit to me in my greit and urgent necessitie be ane hon^{bl}. man James Wynrahame, sone and apperand air to Mr. Robert Wynrahame in Rathow, and for guid service to be done to me during my lyvetye, To haiff sett and for mail lettin, &c., to the said James W., his airs, &c., all and haill the teynd schevis of the tounis and baronie of Kirkness, viz., Kirknes, Auchmoir, nether and over Ryallie, and als with all and haill the small and minut teyndis of the samyn, &c. (Papers of St. Leonard's College.)

† Charter by K. Jas. VI., dated at Halyrudhous, 14 Feb., 1586, confirming a Charter granted by Rob. Bishop of Caithness, and Commendator of the Monastery of St. Andrew's, with consent of

iiij^{li}, Sūma i^c. lxxx^{li}. Item, awand to Mr. Johne Scott in fanctandrois for aill, pe foun of xxv^{li}. Item, to beatrix traill for aill, pe foun of xxiij^{li}. Item, awand to martene Lūmfdale flefcheo^r, pe foun of xiiij^{li}. Item, awand to James ro^l-sone for saip and vinager, pe foun of iiij^{li}. Item, awand to dauid orme chalmerlane for pe few maleis of craigtoun, restand awand be pe space of tua ʒeris, pe foun of fiftie pundis money.

| | | | | | |
|---|---|---|---|----------------------|--------------------|
| Sūa of pe dettis awand be pe deid, | . | . | iiij ^c . xvi ^{li} . | vi ^s . | vij ^d . |
| Restis of frie geir, pe dettis deducit, | . | . | iiij ^c . lxxxxvi ^{li} . | xiiij ^s . | iv ^d . |
| No diuifoun | | | | | |
| Quhairof pe quot is, | . | . | . | xix ^{li} . | xvi ^s . |

ffollowis pe deidis Legacie and latterwill.

Vpoun pe aucht day of september, the ʒeir of god jM v^c. lxxxij ʒeris. The quhilk day I Maister Johne Wynrame, fūtyme superintendent of fyf and pry^o of pe Ile of fanct fersis Infche within pe loch of levin, seik in body bot haill (god be prafit) in spirit, I mak my testament in þis maner, In pe first I gif, leuis and cōmendis my faule in pe handis of pe omnipotent god, be his onelie mercie to be fauit for euir throw o^r lord Jesus christ o^r onelie saluio^r, and my body w^t pe rest of pe faithfull bodies to be erdit in pe hairt of pe erth, tobe overtit in poulder vnto pe day of pe generall resurrectioun and cūmīg of pe latir Juge-mēt of o^r lord Jesus christ. Item, I renoke and retreitis all legacie, assedatioun or gift, gif ony I maid, of my gudis of thesar, or of my priorie, or of my vtencile & domicile now pūtlie wīn my duelling hous maid to m^r. andro aittoun of kȳnaldie, and m^r. robert wynrame fūtyme collecto^r of fyf, and þat for certane ressonabill caus^{is} moving me pairto. Itō, I gif & leuis to James Wynrame, sone & apperand air to maister robert wynrame of ratho, all pe vtencile within my duelling hous of kirknes and to m^r. Johne Wynrame, ʒounger of craigtoun I gif & leuis all my vtencile & domicile now pūtlie being within my duelling hous wīn pe abbay of fanctandrois togidder w^t all my haill bukis appertenīg to me oʒforme, to pe ʒstitutions & dīspōsitiōnes rexiue maid to þame of befoir. Item,

the Convent thereof, in favour of Mr. JOHN WINEHAMME Superintendent of " Fyiff and Stratherne," and MARGT. STEWART his spouse in liferent, whom failing to Mr. ROBT. W., third son of James W. (' honorabilis viri') in Gogar-Mylne, and the heirs to be lawfully procreated of his body, whom failing to JOHN W., second son of Mr. ROBT. W. of Ratho, and the heirs male to be lawfully procreated of his body, whom failing to the said Mr. ROBT. W. OF RATHO, his heirs and assignees whomsoever, the lands of Craigtoun and Lumbo, with the meadow of Craigtoun and its pertinents lying in the lordship of the Priory and regality of St. Andrew's, and shire of Fife: Paying £25 : 5s. yearly of feufarm, Dated at the said Monastery, 16th April, 1572. And the King farther Ratified this Charter in favour of the said John W., (second son of Mr. R. W. of Ratho) in consequence of the decease of the former parties. Reg. Mag. Sig. XXXVI., 327.

I gif & lenis to cristiane wynrame, reliēt of vñqle John spens in auld listoun, my sister, xx^{li}. Item, to alex^r wynrame his brutheris oy xx^{li}. Item, all assignationes, donationes, & dispositiones maid be me to m^r. Johne wynrame of craigtoun, or of quhatfueuir gudis or dettis þat is awand to me be alex^r steuart of kers; patrick bishop of sanctandrois, or be quhatfueuir persone or personis be þis my latterwill I ratifie & approue þe same. Itē, all assignationes, donationes, & dispositiones maid be me to James Wynrame, of quhatfueuir gudis or dettis aucltand to me be þe laird of Lochlevin, Be þis my pit latterwill I ratifie & appreue þe samī. Item, becaus I frelie & of gude will obliscit my self to pay to maister robert glen zonger & eliza^t carnes his spous, þe soun of ffyve hundreth pundis money of scotland, qlk soun thay my^t not ask or craif befor my deceis as is specifit in ane instrumēt maid thairupoun vnder þe note of m^r. dauid russell notar publiēt, neuirpeles I at þe request of and prayar of þe said m^r. robert glen and þe said eliza^t his spous forsaide, sould haif payit to þame in þ^r greit necessitie thrie hundreth sex pundis, þe rest of þe soirsaid soun of ffyve hundreth pundis thay referrit into my will and discretioun, And tharefore I be þis my last and latterwill declaris and makis manifest that it is not my will þat þe rest of þe soirsaid soun of ffyve hundreth pundis be payit to þe saidis m^r. robert glen or his soirsaid spous, or þair airis or assignais or ony vperis in þair name, be me or my airis t^c, Bot þat we salbe fuallelie maid frie þ^rof. And þe rest of my haill gudis now pñtlie in my possessioun I leue to my exō^{ris}, tobe disponit be þame at þair pleſō. Quhome I nōiat* & gñtitut, Maister robert wynrhame of ratho, my brūper germane, James wynrhame his sone and apperand air, and m^r. Johne wynrhame of craigtoun, secund sone to þe said m^r. ro^t wynrhame of ratho. Qubilk my exē^{ris}. I maist ernesstlie besēik & exhortis in þe bowellis of cheretie that thay dispone vpoun my gudis evin as thay knaw I wald my self, or rather as thay knaw I sould haif done, and as thay will anſer to þe maist hie Juge on þe last day of Jugemēt, quhen o^r lord Jesus christ fall cūm & Juge baith þe quick & þe deid and þe world be fyre. This wes done day moneth & zeir abouewritin, Befoir þir witneſſ, m^r. thomas douglas minister of Balmerino^t, m^r. Johne scott, John hodge, williā mortoun and alex^r. liddell, w^t vperis diuers. Sic subscribitur m^r. John wynrame prior^r of lochlevin, m^r. thomas douglas minister at balmerino^t witnes, m^r. Johne scot witnes, Johne hodge witnes.

We m^r. edward henryfoun doctor in þe lawis, alex^r sym & Johne prestoun aduocattis, cōmissris of Ed^t specialie gñtitut for gñfirmatioun of testamētſ, Be þe tenno^r heirow ratifeis, approuis & gñfirmis þis pñt testamēt or Inuētar, inſafar as þe samī is denlie & lauchfullie maid, of þe gudis & geir aboneſpecifit alanerlie,

* See note at the end of the confirmation.

and geuis & cōmittis þe intromissioun w^t þe samī to þe said m^r. Joⁿ. wynrhame of craigtoun, ane of þe thrie e^xe^ris. testamētaris nōiat be þe said vm^qle m^r. Johne wynrhame, superintendent of fyf, and onelie acceptar of þe said office vpoun him, Becaus þe said m^r. ro^t wynrhame of ratho, & James wynrhame his sone, the vper tua e^xor^{is}. nōiat be þe said vm^qle m^r. Johne, in o^r. pⁿs hes renūcit þe said office *re integra* as an act maid pairupoun beris, Referuand compt tobe maid be þe said M^r. Joⁿ. wynrhame of craigtoun e^xo^r. foirfaid of þe gudis & geir abouewritten, as accordis of þe law, Quha being fuorne hes maid faith treulie to exerce þe said office, and hes fundin cantoun þat þe gudis and geir abouewritten salbe fur^cuand to all f^rteis havand interes as law will, as an act maid pairupoun beris. (Commiss. Reg. Test. Edin. 14 Dec., 1582.)

The following "Eik" is inserted on the margin of the Register opposite the words *Quhom I nōiat*, &c.

xix auth. 1592.

ANE EIK MAID TO þIS TESTAMēt QUOT FRIE.

WE mr. Joⁿ. prestoun t^o Be þe tenno^r. heiroy, ratifeis, appreuis, and o^rfirmis þe said mr. Joⁿ. wynrhame of craigtoun, onlie exe^r. testamēt ar to ye said vm^qle mr. Joⁿ. wynrhame superintendent, In and to the fowme of lxth money, restand awand to þe said mr. Johne þe tyme of his deceis, be vm^qle James sandielandis of ft. monāce, for þe dewteis of þe teind schauis of þe landis of abirerūmie of thrie termes preceiding þe said vm^qle mr. Johnes deceis, viz., in ānis J^o V^c lxxxi and lxxxiij zeris, q^lk was omittit & left fur^t of his principall o^rfirmit testamēt testamēt ar foirfaid. And geuis & o^rmittis þe intromissioun w^t þe samī to þe said Mr. Joⁿ. exe^r. foirfaid w^t power to him to intromet t^o.

Winram's death is here mentioned to have taken place, Sept. 28, 1582, but a Decreet of the Lords of Session, (24 Nov., 1582,) preserved among the papers of St. Leonard's College, mentions that "the said Mr. John departit this mortal life upon the 18th of Sept. last." He is mentioned in the Records of St. Leonard's College on the 14 of Sept. as having been one of the *auditores computi*.

Feb. 2, 1582-3, Mr. Jhone Wynrame of Craigtoun, executer testamentar only confirmit to the gudis, geir and dettis of um^ql^l. Mr. Jhone Wynrame, sumtyme prior of Portmoak, and suppost of the Universitie of St Andrew's, proponit his actioun ag^t. Robert Aitoun of Kynnowdy, and Mr. Andro Aitoun his curator. Mr. Robert Wynrame of Ratho, Mr. John Scot in St. And^s, Jo. [James?] Wynrame, son and apperand air to Mr. Robert Wynrame of Ratho,

Cristane Wynrame relict of umq^{ll}. Jo. Spens in Auld Listoun, and Alex. Wynrame creditors legators of umq^{ll}. Mr. Jo. Wynrame prior aforesaid. The cause recurs very often. (Act Buik of the Commissariat of St. Andr^s.)

NOTE F.—EXTRACTS FROM THE ACT BUIK OF THE COMMISSARIAT OF ST. ANDREW'S.

(Page 130.)

THE following extracts are in many respects curious. They relate principally to the Testament of Margaret Stewart, relict of . . . Aytoun of Kinawdy, and afterwards the wife of Mr. John Winram. This lady died in March, 1573, and the Testament in question was confirmed by the Commissaries at Edinburgh, in August, 1574.

| | | | | | |
|--|-------|------------------------------------|-------------------------|---------------------|-------------------|
| Sūma of ye Inuētar w ^t . ye dettis, | . . . | j ^Q iiij ^c . | xvj ^{li} . | vij ^s . | vj ^d . |
| Sūma of ye dettis awand be ye deid, | . . . | xi ^c . | [ix ^c .?] | xvj ^{li} . | x ^s . |
| Restis of frie geir ye dettis deduct, | . . . | iiij ^c . | lxxxxix ^{li} . | xvij ^s . | j ^d . |

(Commiss. Reg. Test. Edin.)

1574, May 1. The qlk day being dewlie summoned the executors testamentars, if ony be, and intromitters with the guds and geir of umq^{ll}. Margaret Stewart, snmtyme spous of Maister Jhone Winrame, Superintendent of Stratherne, &c., comperit Mr. J. Winrame, relict of the said umq^{ll}. Marg^t. Stewart, quha allegit him and Andrew Aiton her son nominat executoris testamentars t quhom the juge statute preif the said allegiance this day 21 days.

May 22. The qlk day anent the term appointit to Mr^f. Jhon Wynraham and And. Aitoun to preif þame nominat exec^{rs}. be umq^{ll}. Marg^t. Stewart, lady of Kinawdy, comperit Mr. Andrew Aitoun quha renuncit the nomination of exec^{rs}, if ony wes maid be the said umq^{ll}. Marg^t. his moder, in his favo^r, and the office of exec^r sa far as may follow þ'upon, *re integra*, protestand he be decernit dative as nerrest of kin to his said moder, in case Mr. Jhone preif not the noñation, and obtain not confirmation conform þ^{to}, and to the superplus and omittit if ony sall happen, in case Mr. Jhon obtene confirmation, and as to the preving of the nominatioun forsaid, the same is continewit to this day xxj dayis with consent of the said Mr. Jhon and Wilsoun fischall.

July 3. The term appointit to Mr. Jhone Winrame to present ane Inventor of þe guds of umq^{ll}. Marg^t. Stewart, sum tyme his spous, to confirmatioun comperit the said Mr. Jhone quha presentit the said Inventor, and becaus

the said excedis the bounds of the confirmatioun he remittis the samyn to the confirmatioun of the Commiss^{rs}. of Edinburgh, and statut to report the samyn confirmit be thame this day xv days.

At the same time there was a process before the commissary at the instance of Mr. John Winram against Andrew Arnot, minister of Scotland-well, for 20 lib., being the said Andrew's silver third addebtet furth of his benefice of Scotland-well for 1571, which he alledged had been paid to Mr. Rob^t Winram, the Superintendant's cousin. It was referred to the oath of the Superintendant who swore that the money had not been paid.

Aug. 15. Mr. Jo. Winram, Sup^t of Stratherne, presentit the Inventor of umq^{li}. Marg^t Stewart confirmit be the Commiss^{rs}. of Edinburgh. Nov. 23. Mr. Jo. Winram's cause is still before the court. Feb. 9, 1574-5, The cause often occurs—much proof led—and many delays. March 2. and 23, The cause to be reported 16 April, before which date the volume ends, and there is an interval of a year between its close and the beginning of the next which is extant.

1576, May 12. Cause persewit be Mr. Jo. Winram, prior of Portmoak, ag^t John Douglas of Cuningston, and Henry Herd; The juge decerns the said John and Henrie to pay 8 sh. for ilk lamb of 5 teind lambs, as just teind of 50 lambs, 40 sh. for ane stane woll, as just teind woll of x yowis and x yeld sheip, 12 sh. for ilk stane of 4 stane teind cheis, as just teind of the said x yowis and ten milk kye, 16 sh. for ane calf as just teind of 10 calfs, 14 sh. for his teind hay, and 10 sh. for his teind lint and hemp.

May 14. Cause by James and Robert Aittounis, and Mr. Andrew Aittoun of Kinnawdy, thair fader, ag^t Mr. Jhone Winrame, Superintend^t of Fife. They claim 32 bolls aitis w^t ye fodder at 40s. per boll in the barn and barnyard of Kirkness, at the time of the decease of Lady Kinnawdy, (March, 1573,) also a pair of bracelets of gold estimat at 20 lib., also a cross of gold hung with a small chain, 16 lib., also 4 rings of gold, price of the piece ourheid, three lib., also 115 lib. money, &c. The juge decernit Mr. Jhone Winrame to be absolvit simpliciter, because the persewars failzeit in preving, &c.

Aug. 25. Decretum—Mr. Jo. Winram—137 lib. to be paid for teind sheves of Kirkness.

1577, Aug. 26. Four persons in Kirkness to pay to Mr. John Winram, prior of Portmoak, 140 merkis 3eirlie, during the 3eir 1577 inst. 78 and 79, for the teind shevis of Kirkness in the parochin of Portmoak, with 120 thraves stray, or else 2s. for ilk thraif.

1582-3, Jan. 29. Cause of Robert Aitoun of Kynawdy, ag^t Mr. John Wynram of Craigtoun.

NOTE G.—WINRAM'S WORKS. (Page 130.)

THE only work by Winram known to have been published, is a Catechism marked thus in one of the old catalogues of the Library of St. Leonard's College, St. Andrew's: "Catechismus D. J. Winram Subprior[us]." This catalogue was given in to a Commission of Visitation in 1599. The title immediately following it in the catalogue is, "Catechismus Jo. Hamiltoun episcopi," a well known work printed at St. Andrew's in 1552. It is not in the least degree probable either that the titles should have been thus specified if Hamilton's and Winram's Catechism had been the same book, as has sometimes been supposed, or that Winram's would have been inserted in the list at all, if it had not been extant.

There were at least two copies of this work preserved in the Libraries of that University several years after its author's death. Dr. Lee suspects that they may have been purposely destroyed, and does not think that the work can have been of much intrinsic value.

In a letter written by Bishop Sage to Mr. John Guilan, March 9, 1702, an extract from which has been preserved by our author Wodrow, occurs the following, unfortunately most indefinite, reference to a work by Winram: "George Robertson, our friend, I remember, told me he had seen in MS. a piece written by Mr. John Winram, Superintendant of Fife. I have forgot the subject." (Catalogues of Scottish Writers, Edin. 1833, p. 129.)

LIFE OF BISHOP CARSWELL.

NOTE A.—CARSWELL'S ACADEMICAL EDUCATION, &c. (Page 133.)

RESPECTING the parentage of Bishop Carswell little has been discovered. He seems to have belonged to the family of Carswell of Carnastrie or Carnassery, which had settled as Constables of the Castle of that name under the house of Argyle. The following extracts from the Records of the University of St. Andrew's appear to relate to him:

1541. Incorp. in Coll. divi Salvatoris Johannes Carsuell, britan.

1542. Determ. (B.A.) Jhōes Cafwall.

1544. Licentiat (M.A.) Jho^{es}. Carfvell, *pauper*.

These entries do not seem to indicate that his parentage was very exalted.

The following entries also appear on the Records:

1554. Incorp. ex Coll. Leonardi,

Donaldus Carfuuld.

1558. Bac. Donaldus Carfwald, *pauper*.

The editor has not met with any *positive* evidence that these persons were related to each other, but it seems highly probable that they were brothers. This conjecture is founded on a General Service, (July 22, 1671,) of John Carswell, son of Neil Carswell of Carnastrie, (a property, as will be seen, which belonged to the Bishop's family,) as heir of his two great-grand uncles, Donald and Malcolm. If we reckon back four generations, it brings us exactly to the period in which the Bishop lived. It appears by this service (Inq. General. Abbrev. 5455, 6) that Mr. Donald Carswell was vicar of Insaill, and his brother Malcolm is designated "ballivus de Craigneise."

NOTE B.—GENERAL NOTICES OF BISHOP CARSWELL, 1544–69. (Page 136.)

LITTLE is known of Carswell before the Reformation. In 1544, the year in which he took his degree at St. Andrew's, (Note A.) the Earl of Lennox rose in rebellion. He was joined by the Islesmen, and among others by Carswell, who retired with him into England on its suppression. Carswell is mentioned as having been Rector of Kilmartine, the parish in which Carnastrie or Carnassery is situated, and as having also been chaplain to the Earl of Argyle (Russel's Keith's Scot. Bish. 307.) In the account given by Keith (Hist. app. 188) of the disbursements of the collectors of the thirds, there is 26l. 13s. 4d. paid to Mr. John Kerswell, who is there styled prebend of the Chapel Royal of Stirling. His presentation to the Bishoprick of the Isles and to the Abbacy of Icolmkill is dated March 24, 1566 (Ibid, 308.) The revenues of the Bishoprick were probably very small, having been alienated by the previous Bishop, but no account of them appears in the rentals given up at the period of the assumption of the Thirds. Mr. John Carswell, Bishop of the Isles, is witness to a Notorial Instrument taken on behalf of Donald M'Donald Gorme of Slate, Aug. 22, 1566. He was elected one of the Lords of the Articles at the parliament, April 16th, 1567,

the only occasion on which he is mentioned in the Record of that Court (Acts Parl. Scot. II. 546.) He signed the bond at Anslie's in favour of Bothwell's pretensions, April 20 (Keith's Hist. 383.) About the same period there seems to have been a rival claimant for the bishoprick of the Isles, for on the 21st of May, 1567, Maister Lauchlane Makclane appeared before the Lords of the Privy Council "and made fayt that he neuer obtenit licence of oure souerane ladie to pas to Rome for purchessing of the Bischoprik of the Ilis nor na vther benefices pertening to Maister Johne Carswell bischope of the Ilis nor neuer purchest the said bishoprik nor the abbacie of Ycolmkill or vtheris benefices in ony tyme bigane, Alwayis for the mair abundance he renunes, ouergivis and dischargis Simplr all ryt, titill, entres and clame of ryt quhilk he hes or can ony wayes pretend or clame to the said bishoprik or vtheris the said Maister Johnnes benefices, Ratifeand and apprevand the ryttis and titillis maid to the said Maister Johnne of the famyn be thir presentis, And fall neur vex nor molest the said Maister Johnne in the peciabil brouking and posseding of the said bishoprik and vtheris his benefices, move nor intent actioun, pley nor questioun aganis him for the famyn during his lifytyme, &c." (Reg. Secr. Concilij, March, 1563—June, 1567, f. 274, b.) His name appears at the bond for the defence of Queen Mary on her escape from Lochleven, dated at Hamilton, May 8, 1568 (Keith's Hist. 476.) He attended the Convention of Estates, held at Perth, July 28, 1569, to consider certain proposals made by Lord Boyd in behalf of Queen Mary respecting her return to Scotland (supra, p. 323.)

NOTE C.—CARSWELL'S DEATH AND POSTERITY. (Page 136.)

THE exact date of Carswell's death has not been ascertained, but the following extract, dated 20 Sept., 1572, shows that it took place before that time: "Our Souerane Lord wt auise, &c., Ordanis ane letter to be made vnder the great seill direct to the deane and chapto^r of the Cathedrall Kirk of the bishoprick of the Iles, makand mention, &c., the kirk foirsaid vakis *be the naturall death of Mr. Johne Carswell,*" &c. (Reg. Present. Benef.) It appears from the authority of Dr. Leyden that the impression of Carswell conveyed by tradition preserved in the neighbourhood of Carnassery Castle, where he principally resided, is by no means favourable. "The bards, whom he affected to despise," says that learned author, "made him the subject of their satirical verses and invectives,

some of which are still preserved. Many proverbs, expressive of his rapacity and niggardliness, are still current in that country." (Scottish Descript. Poems, 228.) The traditions of his rapacity are confirmed by historical evidence. Bishop Spotswood in noticing the bishoprick of the Isles in 1600, says that it was so dilapidated that it could scarce be remembered to have existed. (Hist. 456.) It must be recollected, however, that Carswell, if he left it, also received it, in a very low condition (*supra*, Note B.)

The Bishop appears to have had one son, Archibald Carswell of Carnaserry, in the parish of Kilmartine in Argyle Proper. This gentleman married Isabel second daughter of Ninian Bannatyne of Kames (Robertson's Ayrshire Families, I. 59.) Archibald Carswell of Carnastrie is mentioned in the Writs of the Family of Argyle in 1599. The traditionary reports preserved of him are equally unfavourable with those respecting his father. It appears from them that he was a bad character, and that the day of his funeral was remarkable for storm. A poem by the Bishop, containing advice to his son, was printed from the recitation of an old man in Kennedy's Collection of Gaelic Hymns, 12mo., Glas., 1786. Neil Carswell of Carnastrie is mentioned in the Writs above-mentioned in 1629.

NOTE D.—CARSWELL'S TRANSLATION OF KNOX'S LITURGY. (Page 137.)

THE principal work by Carswell known to have been published, is his Gaelic Translation of Knox's Liturgy. These "Foirn na Nurrnuidhead" or Forms of Prayer, were printed at Edinburgh by Lekprevik in April, 1567, and were dedicated to Archibald fifth Earl of Argyle, Carswell's patron. A copy, supposed to have been the only complete one extant, was communicated by the Duke of Argyle to Dr. Leyden, and he has given some very interesting extracts from it, accompanied by a translation, in his Scottish Descriptive Poems, (215, 227.) Since that period this copy has disappeared from His Grace's Collection, and there is but one,—and that in a slightly imperfect state,—now known to exist. With the view of preserving what remains it was intended to have inserted copious extracts, which the kindness of Dr. Lee has placed at the Editor's disposal. This volume has, however, swelled so much beyond the limit originally prescribed to it, that these extracts must be reserved to appear in a future part of the work.

LIFE OF BISHOP GORDON.

NOTE A.—SUPPLEMENTARY NOTICES OF BISHOP GORDON. (Page 141.)

ALEXANDER Gordoun, the brothergermane of George Gordoun, Earle of Huntlie, slaine at Corrichie, wes, in his tender years, bred in the company of King James the Fyft* of Scotland, whose sister's sone he wes, and who loved him deirlie whilst he lived. After the death of King James the Fyft, he wes made Bishop of Cattynes, as I have shewn alreadie, page 111; then he wes maid Archbishop of Glasgow, and went to Rome, ther to be confirmed in that dignitie, as lykwise out of a desyre he had to travell. In the meantym some dissension happened betwein the Queen Regent and the Earle of Arran, for the government of Scotland dureing the minoritie of Queen Marie, and becaus Bishop Alexander Gordoun assisted the Quein Regent and her partie, the Earle of Arran, (being governor of Scotland) disposessed him of the Archbishopprick of Glasgow, by the instigation of John Hamilton, Archbishop of Sanct Andrews, the Earle of Arran his base brother. Yet, in recompense thereof, Alexander Gordoun wes maid Bishop of the Iles, and Abbot of Inchaffray. And least he should lose the title and dignitie of ane archbishop (which he once had,) the Pope did institute him Archbishop of Athens. Afterward, the year of God 1558, he had the Bishoprick of Galloway from the Quein Regent, and did give over the Bishoprick of the yles: so he continued untill his death, Archbishop of Athens, Bishop of Galloway, and Abbot of Inchaffray. He wes a trustie and faithful servant to Marie Quein of Scotland, evin untill his death; and maid divers journeys into England dureing her captivitie ther, to try iff he might work her libertie: He wes one of the first bishops of Scotland that began the Reformation of religion. This Alexander Gordoun mareid Barbara Logie, the Laird of Logie his daughter; by whom he had John Gordoun, of whom we ar now to speik; Lawrence Gordoun, Lord of Glenluce; Mr. George Gordoun, who wes Bishop of Galloway after his father; and Robert Gordoun, slain in

* In the reign of that king (1541) there is an entry in the Treasurer's books of 100 pounds paid "to Maister Alexander Gordoune at his passing to France," (Pitcairn's Crim. Trials, I. *308,) but the name of Gordon occurs so often in the history of the period, that it cannot be said with certainty that this person was the future Bishop of Galloway.

France in single combat, being then in service and great favour with Margaret Quein of France and Navarr: Alexander Gordoun had also one daughter, called Barbara Gordoun, mareid to Anthonie Stewart of Claray. Bishop Alexander sent his sone John into France, in the moneth of June, the year of God 1565, their to be instructed in learning and vertue, by the speciall direction of Marie Quein of Scotland, who appoynted him to have a yeirlie pension vpon her dowry and joyntur in France, for his better maintenance in that Kingdom; having befor his departure from Scotland finished his course of philosophie and other sciences in St. Leonards his college, in the universitie of Sanct Andrews. Bishop Alexander, went into England together with the Lord Levinstoun, and the Bishope of Rosse, the yeir of God 1570, to treat with the Quein of England's commissioners for Quein Marie's dilyverie as I have shewne alreadie, page 158 and 159. Bishop Alexander died the yeir of God 1576.

John Gordoun being thus sent into France, he applied himself to studie for some two years in the vniversities of Paris and Orleans; and, during his stay in that Kingdome, he wes designed to be bishop of Galloway the yeir of God 1567, be the resignation of his fater Alex^r, which wes confirmed, vnder the great seale of Scotland, the fourth day of Januarie the said yeir, &c. (Gordon's Hist. of the Earld. of Sutherland, pp. 289—291. See also supra pp. 148, 9.)

By way of supplement to this sketch of Gordon, and to Wodrow's account of his share in ecclesiastical affairs, it is necessary to notice such facts as later investigations have brought to light. These are principally of a political character and will show whether Mr. Alexander Gordon was "a trustie and faithful servant to Marie Quein of Scotland," or to any one else,—whether in short his conduct can be explained on any other principle than that of self-aggrandizement.

Keith's account of the Diocese of Caithness under Robert Stewart, Bishop elect of that See, is somewhat confused. When that prelate was sent by his brother, the Earl of Lennox, into England in 1544, with offers of service to Henry VIII., his diocese was declared vacant and was given by Arran the Regent to Alexander Gordon. In the following year Stewart returned and was restored to his see (Gordon's Earld. of Sutherland, 111. Balfour's Hist. Works I. 280, 285.) He did not, however, retain it long, for in 1548, Mar. 30, he found George Earl of Errol security that he would underly the law for taking and detaining the house and place of Scrabister (Strabbister) from *Mr. Alexander Gordoune, Postulate of Caithness*, and for seizing vpon the fruits, teinds, and other emoluments of the Bishoprick of Caithness, and for breaking the Queen's protection to the said Mr. Alexander, &c. (Pitcairn's

Crim. Trials, I. *337. Gordon *ut supra*.) The precise time at which Gordon was elected Archbishop of Glasgow has not been discovered. Gavin Dunbar died April 30, 1547, (Crawf. Off. of State, 77,) and the Postulate of Glasgow attended a meeting of the Privy Council, Oct. 11 following (Keith's Hist. App. 55,) but it can hardly be supposed, consistently with the notice in the Criminal Record just noticed, that Gordon is the person here alluded to.* On the 26th of Nov., 1553, he was provided to the Bishoprick of the Isles, and to it was added the Commendatory of Inchaffray,† which had been held by Archbishop Dunbar (Keith's Catal. Russel's edit. 257, 307.) On the 11th March following, he was admitted to the temporalities of the abbacy of Icolmkill of which he had also been appointed Commendator (Hist. Acc. Sen. Coll. Just. 129.) Gordon was not slow in availing himself of the privilege which his bishoprick gave him of attending the parliament. The name of "Alexander elect of the Ilys" appears at the "band maid be the quene dowerar and the thre eftaitis to James duke of Chatellarault, warranting him aganis all actiounis tuiching his intromiffiouns with the money, jowellis, &c., pertening to the Quenis Grace," registered in the books of parliament, 12th April, 1554 (Acts Parl. Scot. II. 603.)

But the busy part of Gordon's political career commenced with his appointment to the See of Galloway, which took place, according to Sir Robert Gordon, in 1558 (Hist. of the Earld. of Sutherland, 137.) The order to the clergy of the diocese to attend the provincial council to be held at Edinburgh, April 6, 1559, is signed by Malcolm perpetual Commendator of the Cathedral Church and vicar general, *sede vacante*, March 24, 1558-9, and the Postulate of Galloway is mentioned in the Acts of that Council as one of the six persons to whose examination and admonition the Archbishops of St. Andrew's and Glasgow submitted themselves (Wilkin's Concilia, IV. 209.) According to Sir Robert Gordon (*supra*, p. 475) the Bishop belonged to the Queen Regent's party and received the See of Galloway from her. In the course of the same year, however, the protestant party became the more powerful; Gordon joined them, and when they suspended the Regent's authority and appointed a council for the management of the public affairs, he was one of four ministers nominated to assist

* Gavin Hamylton, Dean of Glasgow and vicar general, *sede vacante*, was present at the provincial Council of the Clergy held in Nov., 1549 (Wilkin's Concilia, IV. 46.)

† The abbot of Inchaffray was present at the parliament, Nov. 29, 1558, and was chosen one of the Lords of the Articles (Acts Parl. Scot. II. 503.) Who was this person? Gordon is mentioned in the Criminal Record, 18th May, 1556, as Archbishop of Athens, and of the Isles of Scotland, and perpetual Commendator of the Monastery of Inchechaffray (Pitcairn's Criminal Trials, I. *387, 8.)

them in the discussion of ecclesiastical questions (Sadler's State Papers, 1809, I. 510, 11.) "Alexander Archbishop off Athenis, elect off Galloway and Comendatary off Incheffray," was present at the parliament which met at Edinburgh, August 1, 1560, and signed the "Commissioun of the Estats to move Queene Elizabeth of England to tak the Erle of Arran to hir husband." (Acts Parl. Scot. II. 525, 605.) The precise date at which Gordon became a member of the Privy Council has not been ascertained, but it must have been previous to December, 1565 (Keith's Hist. App. 117.) He was appointed (Nov. 26, 1565) an Extraordinary Lord of Session in place of the Bishop of Orkney (Haig and Brunton's Hist. Acc. Sen. Coll. Just. 129,) but was superseded in 1569, because his place "vaiked by his continuall absence" (Murray's Literary Hist. of Galloway. p. 77 note.) His name appears in the list of the commissioners who were appointed by Queen Mary to collect the laws of the kingdom, and to whom we are indebted for the collection of the Statutes, known by the name of the Black Acts and printed at Edinburgh in 1566 (Life of Bishop Lesley, *apud* Mackenzie's Lives of Scots Writers, II. 503, 4.) He attended the Privy Council on the 19th of March, 1565-6, and on the 2nd of May, and 8th of June, 1566, when the persons suspected of participation in Riccio's murder were ordered to appear before it, and when on their failing to do so they were declared rebels (Keith's Hist. App. 130, 2.) The Bishop was present at the Convention of Estates, held in October, 1566, which granted "ane taxationn of twelf thowsand pundis to thair majesteis for suppleing the expensis of the baptisme of thair derrest sone the native prince of this realme," (Acts Parl. Scot. II. 607,) and having voted the supplies he did not absent himself from the ceremony (Keith's Cat. of Scot. Bish. Russel's edit. 279.) He and others procured several Acts of the Privy Council for the support of the protestant clergy in October, December and January following (Knox's Hist. 1732, p. 401. Keith's Hist. 561, 2, 570.) The next year was fertile in intrigue, and Bishop Gordon did not want his share in it. His name appears in the Sederunt of the Privy Council, 28th March, 1566-7, when the day was appointed for Bothwell's trial, (Anderson's Coll. rel. to Q. Mary, I. 50);—he attended the Queen's parliament on the 14th of April, (Acts Parl. Scot. II. 545);—signed the Bond in favour of Bothwell, on the 20th, (Keith's Hist. 382);—he was present as a Judge in the Court of Session, May 12, when Queen Mary declared her forgiveness of Bothwell for his alleged violence, and her intention of promoting him to higher honours;—he sat in the Privy Council on the 17th, 19th, (according to the Pitmedden MS.) and 22nd of May, (Keith's Hist. 385, 7);—when the nobility rose against Bothwell, Gordon took refuge (June 10th) with Huntley, the Archbishop of St. Andrew's, &c., in the castle of Edinburgh (Diurnal of Occurrents, 113);—and when the Queen's

Lords assembled at Dumbarton, Gordon joined them and signed the deed by which they bound themselves to demand her liberation, (Sir J. Melville's *Memoirs*, Bann. Club edit., p. 196, see also *infra* p. 481);—he is found soon afterwards in communication with the King's party, (Throgmorton's letter to Q. Elizabeth, July 18, 1567. Robertson's *Scotland*, Lond. 1802, App. xxii);—before the following December he and his patron Hundley had signed the bond for the support of the King's government, (Crawford's *Off. of State*, p. 442. Anderson's *Coll. relating to Queen Mary*);—they both attended the parliament held at Edinburgh in December, (that parliament which approved of the Queen's dimission of the Crown,—ratified the succession of the Prince and the appointment of the Regent, and declared the order for Mary's imprisonment in Lochleven to have "procedit vpon ane iust, trew and sinceir ground,") and were elected Lords of the Articles;—Gordon was named in "ane commissioun to certaine Lordis of the Estatis to considder sik articklis as is committit to thame, and to report the samine againe in the nixt parliament," (Acts Parl. Scot. III. 3, 4, 30);—before that parliament met he had once more changed sides and signed a bond, May 8, 1568, for the defence of the Queen on her escape from Lochleven (Keith's *Hist.* 476.) We must refer to Wodrow for the notices of him to be found in the ecclesiastical records in 1568, and the following year. He attended the Convention of Estates held at Perth, July 28th, 1569, to consider certain proposals made by Lord Boyd on behalf of Queen Mary (*supra*, p. 323.) His mission to England in 1570, as one of Queen Mary's Commissioners, forms the subject of a separate note. After his return he remained with the Queen's party. When they seized upon the town of Edinburgh in 1571, "all men that favorit not the Queyne" were commanded to retire. John Knox retired to St. Andrew's,—Gordon took possession of the vacant pulpit, and "utheris inferiors administrat the sacraments of baptisme and marriage: bot as for the supper of the Lord," continues the anonymous writer of the *Historie of King James the Sext*, "it was then out of season, be reason that tranquillitie was baneist the land and violent dealing was maister of all," (pp. 75, 6.) On the 8th of June, Gordon came to Edinburgh to attend a parliament of the Queen's faction. On the 12th Gordon attended the parliament held by his party in the tolbooth of Edinburgh, by which Mary's resignation of the Crown was declared to have been extorted by "feir of hir lyff," and that and all the subsequent acts of the King's government were declared "of nane awaill" (*Diurnal of Occurrents*, 220, 1. Bannatyne's *Journ.* 178, 222, 3.) On the following day (13th June) the Lords in the Castle sent a message to Mr. John Craig desiring him to convene the Kirk (Session?) and the Bishop of Galloway and Sir James Balfour required of that assembly "with all gentlenes and submissione" that they should pray for the Queen their Sovereign

and for the prince her son, "bot it was denyed of the whole brethrene, whairat the tuo messengeris wer not content and discharged them to preich gif they wald not pray for the quene." (Bann. Jour. 231.) It was about this time (June 17) that Gordon preached the sermon given (pp. 150—3) in the text (Bannatyne's Journal, 178.) If the report of that sermon could be considered authentic, it would certainly deserve Wodrow's quaint appellation of "perfectly an original," nor would it be destitute of historical value as showing the opinions of Queen Mary's party respecting her conduct; but, although Bannatyne declares it to have been "transported word be word be the most copious auditoure being then present for the tyme" (Journal, 179,) it contains too many marks of the workmanship of a satyirical enemy to be entitled to perfect confidence. In the meantime the ministers were not slow in passing a counter resolution to that of the Queen's Lords. About the beginning of August an assembly was held at Stirling; it ordained "that na minister should pray in thair sermons for the quene, and fand fault with Alexander bischope of Galloway, minister at Edinburgh, becaus he prayit for the said quene; againis the quhilk act Johne Craig opponit" (Diurn. of Occ. 236.) The parliament of the Queen's party met soon afterwards at Edinburgh and forfeited the Regent and a long list of persons obnoxious to them. On the 31st of August the King's parliament met at Stirling. That assembly in like manner called the summons of forfeiture on many of their opponents, among whom we find the name of the Bishop of Galloway, and on their non-appearance declared them "to have tint thair lands, lyves and guids." (Diurn. of Occ. 242—5. Bannatyne's Journ. 258.) This sentence was annulled in the following year by the treaty of pacification at Perth (Hist. of K. James the Sext. Bann. Club edit. 134.) But the terms which the church required for the removal of its censures were much more rigid; and Gordon's whole conduct in reference to them exhibits the keen struggle of pride with the desire of being restored (*supra*, pp. 153—9.) After this period we find Gordon's name but little mentioned in the civil transactions of the period. He was present at a Convention, 5 March, 1574, on the "presentation of our soverane lordis jowellis be Coline erll of Ergyle to the Lord Regent." (Acts Parl. Scot. III. 84.) The infirmities of age had probably now overtaken him, and perhaps it is not unreasonable to conjecture, that, along with them, the mortifications which he had experienced had some effect in cooling his zeal.

To offer any remark on the Memoirs of Crawford of Drumsoy may perhaps be now considered superfluous. It would certainly be so, if his mis-statements terminated with himself, but they have been copied by writers of eminence and integrity, and on their account alone does his work become entitled to the slightest notice. The bond referred to at p. 479 of this Note as having been

entered into at Dumbarton by the Hamilton party, is dated by Crawford at Hamilton, Dec. 25, 1567, (Memoirs, ed. 1753, pp. 51, 2.) The object of the author in falsifying the date is sufficiently obvious from the context, which contains some of his grossest interpolations. Having carried forward his narrative as far as the month of December, 1567, he proceeds to say that the loyalists (Queen's party,) "hoping to balance matters by their presence," intimated to the Regent their wish to attend the approaching Parliament, and that, when this proposal was rejected, they drew up the bond in question. The inference, therefore, which he wishes his readers to draw is, that they had for many months together attempted a reconciliation of the different parties, and having been foiled in all their honest and patriotic endeavours, these faithful adherents felt themselves at last bound in conscience to demand Mary's liberation at all hazards. Now, what is the fact? Before the 14th of September, the Earl of Argyle and the abbot of Kilwinning, whose names appear at the bond, had made their peace with Murray, "promisynge to serve the King, and acknowledge him as Regent", and the other adherents of the Hamilton faction were eagerly attempting a reconciliation at that time (Letter, R. Melvill to Throgmorton, Laing's History, I. 121, 2, *note*.) Before the month of December following, the Earls of Argyle and Huntley, and the Bishop of Galloway, all signers of the bond, had signed the public obligation to defend the King and support his government (Crawford's Officers of State, App. pp. 441, 2); when the Parliament met in Dec. all the three were elected Lords of the Articles, and so far were they from attempting "to balance matters by their presence,"—so far from protesting that no acts passed in that Parliament should operate to the prejudice of the Queen, since they could not successfully oppose them—that Argyle, Huntley and Herreis protested on the 29th of Dec. that none of *their own* actions since the 10th of June should be made the subject of future impeachment, and acknowledged that they had been undutiful subjects of the King (Acts Parl. Scot. III. 4, 34.) On the 25th of Dec. the Abbot of Kilwinning appears to have been in France, to which he had been sent on the 21st of September, after making his peace with Murray; he it observed, to urge the Duke of Chatelherault to return to Scotland and oppose Murray's government (Diurnal of Occurrents, 123, Hist. of James the Sixth, comp. pp. 19 and 32); his name has not been found connected with any of the public transactions till 1568, when he is mentioned as having returned from France, by the writer of the very work which Drumsy professes to have made the ground-work of his history.

For these reasons the bond is mentioned in the preceding part of this Note (p. 479) as having been executed at Dumbarton in the interval between Queen Mary's imprisonment in Lochleven and the following September; that date is also

confirmed by the place which the undated copy of it occupies in Sir James Melville's narrative (Memoirs, Bann. Club edit. p. 195,) and by several allusions to it in the dispatches of the English Ambassador. The confusion produced in Drumsoy's Narrative by the falsification of the date seems to have staggered the faith of the more skilful in the authenticity of the document, for his editor informs us in the second Edition that "some ignorant people" had possessed the audacity to declare the bond to be the work of Crawford's own hand, which charge he most indignantly rebuts, although he admits that the date given by Crawford is "*erroneous*." Thus it is that Mr. David Crawford of Drumsoy and his editor Mr. Walter Goodal vindicate "oppressed Truth and Right, and do service in their humble station to the Crown and to their Country"!!

NOTE B.—GORDON'S EMOLUMENTS. (Page 147.)

THE resignation of Inchaffray in favour of a young child, mentioned in the text (p. 147) probably refers to the lease of it granted to James Drummond, second son of David second Lord Drummond. This lease was probably granted in consideration of a sum of money paid at the time to the Bishop, for a very small yearly rent; there is at least evidence that it was held by Drummond long after Gordon's death and long after in the course of nature he could be expected to live when it was granted. The abbey of Inchaffrey was erected into a temporal lordship in 1607, Drummond having then been created Lord Maderty (Wood's Douglas's Peerage, II. 550. Spottiswoode's Religions Houses, *apud* Keith's Cat. 393.) The other dilapidations by Gordon mentioned in the text probably refer to alienations of several ecclesiastical lands in the Stewartry of Kirkcudbright, by Gordon as Bishop of Galloway and Commendator of Tunland, to Gordon of Lochinvar, 1564-6. (Wood's Dougl. Peer. II. 26.)

It may be worth while to ascertain, as far as the incomplete data now preserved enable one to do so, the amount of Gordon's emoluments in consideration of his *faithful* services. That it formed an important part of his own contemplations is sufficiently evident. The retention of their revenues was expressly stipulated for in the subscription of the First Book of Discipline by the Popish clergy (*supra*, 143,) and Wodrow is guilty of no great breach of charity when he says that this reservation "was no small argument with Bishop Gordon to join" in the subscription.

We have several statements of the revenues of the Bishoprick of

Galloway. The lowest is given by Keith in his account of the revenues of the different Sees about the period of the assumption of the thirds of benefices and is as follows: In money, 1137l. 8d.;—in bear, 6 chald. 15 bolls 3 firlots;—in meal, 7 chald. 9 bolls;—salmon 268 (or in the Books of Assignation, 228.) This appears to include the Abbacy of Tunland (Keith's Hist. App. 181,) but another statement about the same period gives a somewhat higher account (Chalmers' Caledonia, III. 417,) and a third, dated Sept. 8, 1566, is 1357l. 4s. 2d. (Ibid.) The Bishop of Galloway was also *ex officio* Dean of the Chapel Royal of Stirling "valued," according to Spottiswoode, "in King James VI.'s time to a very high rental" (Religious Houses, Keith's Catalogue, Russel's edit. 472; see also Nimmo's Stirlingshire, by Stirling, 154.) The revenues of the Abbey of Inchaffray are quoted by Keith at 666l. 13s. 4d. (Hist. App. 185,) and the same author has given the following note of the payment to Gordon as Commissioner of Galloway,—in bear, 2 chald. 5 bolls 1 fir.;—in meal, 2 chald. 8 bolls 1 fir. 1½ peck, besides a payment in money deducted from the amount of the thirds of his bishoprick (Ibid, 188.) Besides all these Gordon had his salary as a Senator of the College of Justice, which appears, however, to have been insignificant (Haig and Brunton's Hist. Acc. of Sen. Coll. Just. xlvii.) The revenues of some of the benefices were somewhat diminished after the Reformation, as the pasch fines, corps presents, and umaist clathis were no longer paid.

NOTE C.—GORDON'S ATTENDANCE ON THE SECULAR COURTS. (Page 149.)

THE materials originally intended for this Note have been in a great measure transferred to Note A. To give an outline of Gordon's political life it was, of course, necessary to mention the more important transactions in which he was engaged both as a Privy Councillor and otherwise. That he attended both the royal and other Courts on many occasions, which, as bearing less on the general history of the period, have been less noticed, the Sederunts of the Privy Council and his general character leave no room to doubt. The complaints against him by the Church for thus neglecting his ministerial duties do not occur once, but often.

NOTE D.—TREATY IN BEHALF OF QUEEN MARY IN 1570-1. (Page 153.)

It is singular that Wodrow should have only known by inference of Gordon's mission to England as one of the Commissioners on behalf of Queen Mary in the treaty of 1570-1. That transaction is distinctly noticed by Spotswood, (Hist. pp. 248-251,) and more particularly by Bishop Leslie in his *Negotiations* (Anderson's Collections relating to Queen Mary, Vol. III.) which were published in 1727,—two years before Wodrow wrote Gordon's Life.

Of the many expedients to the adoption of which Queen Elizabeth's policy in regard to Scottish affairs led her, the most effectual,—more especially when her future conduct must be accommodated to the issue of pending events,—was undoubtedly negotiation. In 1570 the importunities of the Bishop of Ross and the French Ambassador induced her to agree to the commencement of a treaty for the restoration of Queen Mary, the reconciliation of the different factions in Scotland, and the adjustment of Mary's claim to the English Crown, and this measure, originally conceded merely for the sake of appearances, was at length urged on by the fear of a combination of the Catholic States in favour of the Scottish Queen and by the state of parties in Scotland, which remained very doubtful while Kirkcaldy of Grange continued neutral. Lord Livingston was accordingly despatched to Scotland, in June of that year, with orders from Queen Mary to convene the nobility and barons of her party for the purpose of choosing the Commissioners. They met at Strathitay in September, and appointed ten commissioners "with commission from them or anie twoe of them to be joyned with Bishop Lesley for accomplyshment of the said treatie" (Anderson's Collections relating to Q. Mary, III. 91, 2, 5, 100). A delay of several months took place before they received their instructions, and the interval was well employed by Elizabeth. Her stratagems were sometimes but ill concealed by the veil of cunning and hypocrisy which she threw over them, and in the present instance her design was suspected to be, what was afterwards fully proved, merely "to dryve time with France" (Diurn. of Occ. 188.) But this suspicion she contrived to lull, and to raise the expectations of the Queen and her party by sending two of her ablest ministers, Cecil the Premier, and Mildmay the Chancellor of the Exchequer, to Mary with certain propositions. At length John Lesley Bishop of Ross, Queen Mary's Ambassador at the Court of England, Alexander Bishop of Galloway, and William Lord Livingston received their instructions as Commissioners on behalf of the Queen from the Duke of Chatelherault and the Earls of Argyle and Huntley, as her Lieutenants, and as taking burden for all her adherents, on the 10th and 15th of November, 1570. Com-

missioners were also appointed by the King's party "and a taxation maid upon the people to furneis thair expensis, availing the sowme of twelf thowsand pundis money of this realme" (Hist. of James the Sext, Bann. Club edit. p. 67,) but, according to another author, "the same haistilie tuik na effect" (Diurn. of Occ. 192.) The Bishop of Galloway and Lord Livingston having been ordered to obtain an audience of Queen Mary, and receive her approbation of their instructions, began their journey in the month of December. The following curious journal of their progress appears in the Cottonian MSS. in the British Museum, Cal. B. VIII. fol. 277:

The expenses maid be my lorde of Galloway and Levingston frome
Dumfreis to Londoun accompaneit as followis:

Item givine to ane servand of my Lord Maxvallis to ryde to the Lientenant and Warden of the Weyt [West] bordowris to saive [?] ane effiit day of our intre twa peces of thretty schill^{is}. Inde iii. li.

Item the refusall being maid quhill forder avisement be ressonne of the absence of the Erll of Sussex Lientenant and that his deput was in new castell desirand us therfor to send in oure principall condeit with ane speciall man that the samyn myght be sene and considerit quilk we dide with ane other servande of my Lord Maxvallis to quhome we gave other twa thretty schilling peces Inde iiij. li.

The fairsaid sowmes extendis in Inglis money to xxvi. s.

Item the saidis lordis departit frome Dumfreis on Satirday the xvj. day of December being accompaneit with tenn gentill men ordinairlir twa Lakeis and twa fute men to the Sowmrs [?] And ane led horse extending in the hailt to xv horse with the lardis of Gartlie Kerny Skeldone and their servands Als Rob. Makesone James lawder Johnne Boge and James Symsonne with ther thre horses And com at nyght to Carlell quha causit the principall gentill men that met thair Lordships at the watter to Soup with thame The saide Lordis dynyt on sonday the morne thereftir with my lord Scrup Als thai causit my lord Scrup soup that nyght and Dusione on monnday with their Lordships Summe of the hailt expenses in Carleill on satirday at nyght sonday and monnday affoire yther departing ix. li. xv. s.

Item to Rob. Makesone to ryd the poist to the Quenis Majestie l. s.

Item on monnday the xvij day of December my Lords departit frome Carlell and com at nyght to Pirot [Penrith?] and defreit onlie ther awne tryne and the Quenes majesties thre servands and ther horses. Supper that nyght and disione on the morn xlviij. s.

Item Twisday the xix. day of December my lords accompanit with ther awne tryne and thre of the Quenis Majesties servands departit from Pirot dynit in Burth and Sowpit in Spittell.

Item Denner

xiiij. s.

Item Supper

xxxii. s. iiij. d.

Item Wadnisday the xx day of December my Lordis accompaneit with ther awnn tryne Als the lairds of Gartlie Kerny Skeldone their servands and the Quenis Majesties thre servands quha defreit thame all by the said Lardis horses in Richmond at Denner Supper and Disione on the morne.

Summa

iiij. li. xiiij. s. iiij. d.

Item Thursday the xxi. day of December my Lords accompaniet with ther awne tryne and the Quenes Majesties thre servands departit frome Richmond and come at nyght to Burrowbriggis Item for thair supper

xxxix. s.

Summa lateris

xxiiij. li. xvij. s. viij. d.

Item Friday the xxij. day of December my Lords departit frome Borrowbrigis being accompanyit with ther awne tryne the lards of Gartlie Kerny Skeldone ther servands and the Quenes Majesties thre servands Dynit in Wodderby and Sowpit in Pomfret.

Item Dinner in Wodderby

xxxiiij. s.

Item Supper and Disione on the morne in Pomfret

v. li. xii. s. viij. d.

Item Saturday the xxiiij. day my lordes accompaneit with ther awne tryne, the lards of Gartlie, Kerny and Skeldoun ther servands and the Quenes Majesties thre Servandis departit from Pomfra. Dynit in Rodrome [Rotherham?] and sowpit in Shefeilde.

Item Denner in Rodrome

xv. s. x. d.

Item the Lordis sowpit in the Maner of Shefeilde and the gentill[men] and boyis at waiges with horses beande allowit therwith.

Item Supper

ix. s. v. d.

Item Sonday the xxiiij day of December the lords beyng at ordinar the rest of Servands and horses at waiges.

Item the gentill men and boyes waigis with the horses extendit daylie during the lairds remainit in Shefeild to

Item Monnday the xxv. day of December

xviij. s. x. d.

Item Twisday the xxvi. day of December

xviij. s. x. d.

Item Wednesday the xxvij day of December

xviij. s. x. d.

Item Thursday the xxviij of December my Lords accompaniet with ther awne tryne departit frome Shefeild and com at nyght to Mansfeilde.

Item to my Lord Srosberryis servandis for rewards at my lordis departing

xxx. s.

Item Soupper in Mansfeilde and Disione on the morne with the horses
expenses liij. s.

Item Friday the xxix day of December my Lordis departit frome Mansfeild
and sowpit in lochburt Supper xl. s. viij. d.

Item Satirday the penult of December my Lordes departit fro Loburrow
Dynit in Leisteris and sowpit in Harborrow.

Item Denner in Leisteris xi. s. ij. d.

Item Supper in Harburrow and disione on the morn iiij. li.

Summa lateris xxj. li. ix. s. xj. d.

Sonday the last day of December my Lordis departit frome Harborrow
and sowpit in Northampton and Disjonit the morn thereafter.

Item Supper and disione on the morne iiij. li. xj. s.

Item monuday the first of Januar my Lordis departit frome Northampton
and sowpit in Brikill and disionit the morne thereafter Item for Supper and
disione in Brikill lxi. s.

Item Twisday 2 of Januar my Lords departit frome Brikill and Sowpit
in Sanctabeins.

Supper xlj. s. ij. d.

Item Wudnisday the third of Januar my Lordes departit frome Sianctabeins
dynit in Barnet and sowpit in London. Item Denner in Barnet xlij. s. vj. d.

Summa lateris x. li. ix. s. viij. d.

Summa totus Lvj. li. xvij. s. iiij. d.

Inglis money

My Lordis of Galloway and Lewingston comptis to
be seine be suche as It plesit the Quenes Majestie.

It appears from this Journal that Lord Livingston and the Bishop of Gal-
loway arrived at Sheffield on Saturday, Dec. 23rd. Here they had an audience
of Queen Mary, then recovering from a dangerous illness, and were joined by
the Bishop of Ross. They communicated their Instructions to the Queen, and
“after divers conferences” received the following, principally confirmatory of the
former ones, from her Majesty:—

Instructions gevin to ane Reverend father in God Johnne Bishop of Ross
our trusty counsallor and ambassador toward the Quene of England our guid
sister tobe usit be him with the advise and concurrence of the Reverend father
in God Alexander Bishop of Galloway and W^m. Lord Levingston who ar
sent in commission be our Lieutenentes and nobilitie our guid subjectes tobe

joynit with our Ambassador in the treaty tobe maid with our said guid sistre or hir commissioners tobe depute therto asweill for appeasing of all contraverisies and contracting of further amitye betuix us our realme and subjects as also for hir pleaseur tending to the assurance of our subjectes in Scotland.

First ye sall considir dilligentlie the articles and heades quihilk war proponit to us be Sir William Cecill Knyght the Quene our guid sistirs principall Secretary and Sir Walter Myldmey chancellor of her exchequer hir counsallors and commissioners At chattisworth in the moneth of October last* togidder with our answers therto that in cayse the same be of new proponit to you againe ye sall answer to the same in manner following :

As to the first of the said articles proponit ye sall condiscend to the same with the provision maid in our answer therto at Chattisworth.†

Item as to the second article bearing the confirmation of the last treaty maid at Edinburt in the moneth of July 1560 ye sall condiscend to the confirmation therof Providing alwayes that the same be not hurtfull nor prejudiciall to our titill in succession to the crowne of England failzeand of the Queene my guid sistir and hir lefull yssne And to that effect ye sall require my said guid sistir in most frendly and loving maner to mak assurance be sic provisions as may be sufficient in law for preservation of my said titill in succession And because the same dependis upon the subtilteis and quiddeties of the lawes of this realme Therefore ye sall desire that ye may have counsall of sum of the best learnit in the lawis for the better considderation of this poynt be whois advise ye may the better resolve thereupon to the Quene our guid sistirs contentment and for our guid assurance.

* For Queen Elizabeth's Commission to Sir Wm. Cecil and Sir Walt. Mildmay to treat with Queen Mary, see Cottonian MSS. Calig. C. ii. f. 376. At the same place will be found Reason for Mary's assent to the Articles proposed ;—matters to be required of Mary ;—and the Manner of Assurance for the Treaty. Bishop Lesley inserts the substance of these Articles in his Negotiations, (Anderson's Collections respecting Queen Mary, iii. 101–3,) but neither in the exact order nor divided into the same number of Articles as the originals. The limits of this volume do not permit the insertion of extracts from any of these authorities, but Lesley's work can easily be consulted; and the answers to the Articles will in general leave the reader in little doubt as to their nature.

† The answer to this Article in the Instructions by the Duke of Chatellherault, &c. (see p. 484) stands thus : Tueching the first article ye sall condiscend to the same, save onlic to the latter point concerning treaties maid by any officiaris now in hir sonniss tyme quihilk we think not convenient to confirme and speciallie onder thar generalitie, not knowing of what consequence the speciall may be, bot in place theroff ye sall condiscend to mak new treateis or aggrementis in the Quenes awin name off the same substance gif thay be nocht derogatorie to the auld lawis of the merchis and libertie of the Realme. (Cotton. MSS. Calig. C. II. f. 433.)

Item as to the thrid article ye sall assuir the Quene our guid sistir of our constant amitye and guid freindschip in tymes cuming so that no prince or cuntrey salbe able to persuade us to do any thing that may be offensive to hir estait or cuntrey Trusting assuredlie to receave the lik at hir handes And therefore ye sall desire hir to considder and wey our caise and grit lose which may follow to us our cuntrey subjectes and peopill of Scotland in caise we wald agre to this article as it is demandit for therby we salbe in danger to lose our dowarrie in France the privileges quhilk our subjects hes enjoyed thir mony hondrith yeris be the auld league of the Intertenymment of the men of armes the Archers of the gard And 24 archers of the corps keiparis of the kyngis body with all uther privileges that marchandes studentes and uthers wha hes heritages benefices and pensions of that realme with many uther commodities and honorable promotions Besydes that we and our cuntrey salbe voyd of the assistance that our predecessors and we was wont to have for our defence in caise England or ony uther nation ondir what sumende [whatsumeur?] cullor could invaid Scotland Quhilk inconvenientes being foresene and provision being maid therfore that we may have sufficient recompence for the lose be the like privileges, commodities proffeitis and Immunities to be assurit us and our subjectes We will rather contract freindship with the Quene our guid sistir nor any prince in christendome Otherwise it wilbe hard to persuade our subjectes to agre therto alwayes we will not refuse to contract with the quene our guid sistir and joyne with hir in hir defence in caise any prince or cuntrey sall invaid her without just cause first gevin be England to that prince or cuntrey And so being also that in caise England gif the first occasion of weare to thaim It salbe lefull to us to Joyne with our auld freendis and allies for thair defence without brek of the present treaty Providing alwayes that the like band of Frendship be maid to us reciproclye on the Queene our gude sistirs part.

Item to the feird article ye sall agree therto with provision that alsweil Englis as Frenche men of weare salbe removit furth of Scotland gif any be within a moneth eftre our retorning within our seid realme so that onlie Scottis men of weare sall remane within the same unless it sal happin that sic rebellion salbe actually attemptit against us as be the foras [forcis?] of the contrey onlie can not be repressit And in that caise it salbe lesum to us to require and receave ayde of strangers aswell of the Queene our guid sistir as of uther princes our allies and confidirs without prejudice or viollating of this present treaty Providing that our said guid sistir salbe wairnit therof be us and maid privey therto and that theis strangres sall not be sufferrit to remane within the Realme eftir the peaciffyng of the Rebellion.

Item to the 5th article That it be plainlie declarit what is meanit be

intelligence mentionat in the same for we ar content to forbear all Intelligences that may be prejudiciall aither to the Queene our guid sistir hir estait or cuntre and 5e sall require that the said article be reciproclie maid for the Queene of Englands part.

Item to the 6th article ye sall condiscend as in our formar answer assuring alwayes that thair is no Englismen presently within the realme of Scotland of these quha socht Refuge saving onlie these that ar in the keiping of our Rebellis for all the rest ar abandonnit conforme to the promise maid be the B. of Ross our Ambassador at the beginning of this treaty.

Item as to the 7th article ye sall accord as in our formar answeris.*

Item as to the 8th Article ye sall also condiscend as in our formar answers.

As to the nynt article concerning the prince our sone ye sall consider the advice of the nobillitie our guid subjects send to us therupon And informe our guid sistir upon the sam assuring hir nevirthless for our part that we sall leve na thing undone that consistis in our powar to hir satisfaction in that poynt Trusting alwayes that she will not prease us and our guid subjectes forder nor for our consent in respect that the delivering of the Prince our sone standes not in our handes he being kepit be our rebellis and being maid ane cullor of thair pretendit rebellion to our grit hurt and prejudice And therefore the delivrie of his person sould not hinder our libertie as being a thing impossible to us onless the Quene our guid sistir will mak us to be frelie restorit within our awin realme and in the mean tyme receave aither pledgis of our nobilitie And in that case we sall cause that part of the treaty be fulfilled be the speciall assistance and concurrence of our guid sister and besydes that these conditions proponit be us in our formar answer at Chattisworth be agreit unto.

The 10th article semis not honorable to be put in ony treaty because it is contrarious to all lawes and guid reasons to put a bridle to marriage not the less we reffer us to our former answers gevin therto.

The 11th article wald be weil considerit of conforme to the Instructions send be oure nobillite thereanent.†

* The answers to this and the following Article in the Instructions by Chatelherault, &c., stand thus :—

To the sevint article it is resonnable that all injuries and wrangis done by the subjectis of ather realme against the uther be redressit ather by the ordre of the wardains of the merchis or be commissionaris *hinc inde* to be appoinetit wheirin for the part of Scotland their salbe na delay hir Majesty being at hame wherthrou hir ministeris may be deulie obeyit in the furth setting of justice.

To the aucht article we doubt not bot the Quenes Majestie will do therin as apperteinis of justice and reason wherunto we for oure partis sall alsua hald hand. (Cott. MSS. Cal. II. f. 433.)

† The answers to the 11th and 12th articles in the Instructions referred to are as follow :

Twicking the 12th article we reffer us to our formar answers.

The maner of the Assurance.

The first article is agreit.*

As to the second article we reffer us to our formar answers gevin therto.

The thrid article semis to be most perillous of all for that it beares sa mony captious and general termes whereupon occasion may be taken to our greit hurt and prejudice, or rather to the haill overthrow of our titillis as weil in succession of the croune of England as to the present titill of our awin Realme principally in these termes to ayde or any wayes confort any notorious trator or rebell of England &c. quilke walde be interpreted as is contenit in the articles send be our nobillitie and therefore it is necessare that ye require the Queene our guid sister to mak it lefull to yow to have the counsall and advise of certane of the best learnit in the lawes of this realme upon this article Being so prejudicall as it is to our haill estait quilk being so ressonable we ar assurit it will not be refusit, be whose advis and Yow^r awin wisdomes ye sal agre to that thing salbe most convenient for the Queene our guid sisters suretie and ours also.

To the feird article it appeiris werray necessar that the lik order be kept in making assurance to us be the Queene our guid sister and the estaites of the Realme of England for keiping of the poyntis of this treaty as she hes requirit us and our estaites to do conforme to the advise send to us be our nobillitie.

As to the 5th article concerning the Castell of Home we refer us to our formar answers.

And dois syclyke of the 6th for we can not agre that any strangers possese any strenth within our realme.

Also forasmeikle as the assurance taken at the Queene our guid sisters desire betnix therle of Sussex hir lieutenantt and our Lieutenentes in Scotland and therle of Lennox and his assisters quilk hes bene trewlie and inviolably kept be all our guid subjectes and nevertheles the same is violated and broken be the adverse party in sic sort that thair is grit spoyles reif and oppression exercit be them agains our said guid subjectes contrair to ther promis quilk

To the elevent article Thair was never sauf conduct usit as we understand betuix Scotland and Ireland allwayis it is resonabill that the subjectis of Scotland sall not enter in Ireland to offend the Quene of England's subjectis albeit thay may repair thither for thair tred of marchandice or uther lauefull effaris as thay have bene accustomed heirtofor in tyme of peax and the article man be reciproque, as weil for Ireland as Scotland.

To the twelft article we knaw nathing of that matter And gif any sic thing be we remit it to hir Majesties self the ansuer therof. (Ibid.)

* See the first and second Articles of the "Assurance" in Lesley's *Negociations*, ut supra.

becides [becums?] our said guid sister of hir honor to cause be redrest therefore ye sall desir her most affectouslie to cause the saides wrongs and injurys be reparit And that ordor be taken that during this treaty no parliament be haldin in thair pretendit maner nor nane of our guid subjectes be molested or troublit in thair bodyes landes possessions guides or geir Bot that they be sufferit peciably to enjoye thair levings and possessions without any farder trouble The particular declaration heirof we refer to the information to be gevin be mi Lordes of Galloway and Levingston and as ye sall get farther knowledg therof from tyme to tyme faile not to mak earnist instance according to all reason equitie and guid conscience.

And finallie our pleasure is that ye consider dilligentlie the articles and Instructions send be our nobilltie at this present quhilk we find warry guid in all respectes And because they have referrit to our awin Judgement and pleasure to agrie to what sumever conditions may serve for the advancement of our libertie and restitution we likewise dois commit the same to your wisdomes and discretion to be usit be the advise of the said Bishop of Galloway and Lord Levingston asweill in these matirs quhilk [ar?] to be treatit betuix the Quene our guid sistir and us as in ony uthers quhilk sal happin to be proponit for the assurance of our unnaturall subjectes in caise for the pleasure of our guid sister we salbe persuadit to schaw our clemencie toward thame wherof the particular advise we refer to the information quhilk we have gevin you conforme to the answers quhilk we maid to our saide guid sisters commissioners at Chattisworth promissing faythfullie to ratefye approve and afferme quhatsumever ye sall do in this behalf and observe and keip the same inviolably in all poyntis in wintres of the quhilk we have subscrivit thir presents with our hand and affixt our signet therto at Shefeild the 26 day of December 1570.

The 25, 26, and 27th at Shefeild.

The saide commissioners conferrit with the Quenes Majestie upon the particular heades of all these Instructions and sic uther thinges as was necessar for this conference and hir Majestie subscrivit and signed the saide articles and ordeyned my lordes commissioners to depart towart the Queene of England hir guid sister ther to proceid in this treaty as thai ar instructed in all poyntes So my lordes Galloway and Levingston departit to ther jorney the 28 and Bischop of Ross departit fra the said Shefeild towards London the xxix with hir Majesties letters to the Queene of England and als from the nobilltie of the quhilk the tenor followis.

At the same tyme and before the departing of the saide Commissioners they requirit a letter of the Quenes Majestie for the releif of the nobilltie and hir guid subjectes quho had send thir instructions and commission hither the

saide lordes desirit hir Majesties speciall letter approving ther commission and instructions and for thir warrandise and discharge quhilk hir Majestie granted glaidlie for thair full assurance and deliverit the same samin to my lordes of Galloway and Levingston Subscrivit with hir hand and undir hir signet quharof also the tennor followis, &c. (Cotton. MSS. Calig. C. II. f. 442.)

With apparently high expectations of success the Commissioners left Sheffield, and, that no time might be lost, the Bishop of Ross posted on before, and had an audience of the English Queen at Hampton Court on the 3rd of January, 1570-1,—the same day on which Livingston and Gordon arrived. But a very few days' experience damped their hopes. The following Journal of their proceedings, though containing little of importance, presents a curious picture of the paltry shifts and delays of the English Court:

The vi. day of Janowary. Send agane to court ane servand and Johnie Cheisholme quha presentit certane letters of the laird of Granges and Robert Melvill directit to the earles of Sussex Leicester and Bedfuyrd M^r Cicill and Sir nicollas Thrygmarton for the advancement of the treaty and ressavit answer fra M^r Secretary that the Quenes Majestie was to be at London the 9 day of Janowary and had appuynted audience the nixt day thereafter the same day Sande bog was depaschit toward the Quenes Majestie with letters to advertise hir Majestie of the proceedings in the last [Lesley's] audience [and?] of the arriving of my lordis commissioners.

Twisday the ixth. M^r Secretary send a letter to the Ambassador declairing that the Quenes removing was stayit be reason of the frostye wedder that she myght not travell till Lundoyn till twisday the xvi day of Janowary likewise advertisit that letters was cum to therle of Sussex from Scotland that therle of Morton and Lord Glamis war till arrive at Barwick about the xv. of this said moneth and to cum fordwart as commissioners.

The xi. day. The Ambassador in respect of this delay of the Quenes Majestie writ agane to therle of Leicester and M^r Secretary to move hir Majestie for audience affirming that sic delayes wald be werray displeasant to his Mestress and mak hir to beleve that ther was no sic speedy resolution tobe luckit for as hath bene heretofore hoipit, besydes that it wald cause the adverse faction to wax more prowde seing that hir Majesties commissioners war defferrit to cum to presence.

'The same day my Lord Ambassadors servand retournit from court with answer from Secretary Cecill that presence shalbe had and audience to my Lords Commissioners upon Setturday nixt the xiiijth of this Instant. (Cotton. MSS. Caligula C. II. f. 446 b.)

The Commissioners at length obtained an audience at Hampton Court on the 13th of January, as appears by a letter from them to Queen Mary giving an account of it (Cotton. MSS. Calig. C. II. f. 447.) At this interview their credentials were delivered, and sentiments of regard and of a desire for amicable arrangements were expressed and replied to, without either party embarrassing itself by too scrupulous an attention to the dictates of sincerity. But no other result was produced than an intimation on Elizabeth's part of her determination not to proceed,—even with the adjustment of such Articles of the Treaty as concerned the two Queens alone,—till the arrival of the Commissioners of the other party, which it was alledged might be expected within eight days. Elizabeth did not fail to assure them that, although she was not influenced on this occasion by "ony feare micht be gevin to hir of ony forren prince or ayde," yet such was her determination to bring the long agitated disputes to an issue, that she trusted they would not require to trouble foreign princes "for ther help in this cause," and the Commissioners, with but little regard to truth assured her that they had ceased "to sute or receave ony forreyn ayde." The Queen at the same time took care to warn them that if any "raids" should be made into the English border counties during the progress of the treaty "double revenge wald be taken," and the negociation broken off. She also adverted to a report, which she said had reached England, of a conspiracy against the Earl of Lennox's life, "and therupon did sweare be Almyghty God, gif he got ony skayth she should never proceade farder in the treaty bot be revengit of the same." Of these reports,—whether real or got up to serve her own purposes is very doubtful,—the Commissioners denied the slightest knowledge, but, with great tact, replied that such a plot must have been devised by the friends of those soldiers whom the Earl had cruelly executed at Brechin, by which, they observed, "he hes contracted sic hatred in that cuntre [and] throw the whole realme that indeed he hes no less cause bot to have grit feare." Such is the substance of what passed, "and so with sum promissis to entre within schort space into the treaty and with guid and humane countenance and speaches" Queen Elizabeth dismissed them. Notwithstanding her professed disregard of any aid or promises that Mary's party might receive from the Continent, she did not fail to desire the French Ambassador on the very next day

to assure his Sovereign of her firmest conviction that the treaty would be concluded to the satisfaction of all parties, not omitting himself, before the 15th of February (*Ibid.*)

According to Bishop Lesley's statement, letters were immediately despatched into Scotland by the English Court with the professed purpose of hastening the journey of Morton and his colleagues, but most probably intended rather to retard than to accelerate their movements; and as the policy of both these parties was in this case in harmony, delay was not difficult to effect. The King's Commissioners did not, therefore, arrive for nearly two months afterwards. Although, indeed, Mary's Commissioners not only forbore, in their letter to her, expressing any doubt as to the result of the treaty, but actually assured her of their "good hoip of prosperows success" and exhorted her to "be of good comfort," Lesley states that the delays produced by every trifling circumstance lessened their expectations "of anie good succes therof at that time," and he felt little hesitation in negotiating as actively as ever with the Courts of France, Spain and Rome (*Anderson's Collections*, III. 119, 120.)

At length the Earl of Morton and his colleagues arrived, the Queen of England nominated nine of the members of her Privy Council as her representatives, and the Treaty was commenced at London on the 1st of March, 1570-1. The English Commissioners opened the proceedings by declaring that their Sovereign would gladly restore the Queen of Scots to her throne and kingdom providing (1.) that the Queen of Scots should advance no claim to the Crown of England, during the life of the Queen of England, or during those of any legitimate descendants whom she might leave behind her, and providing (2.) that the Queen of Scots and that part of her subjects who had opposed her should be reconciled: for the performance of these conditions they required that the Prince, the Duke of Chatellherault, the Earls of Argyle and Huntlie, Lords Home and Herreis and another should be entered as hostages to remain in England for three years, and that the Castles of Home and Dumbarton should be given in keeping to the English, and that of Edinburgh to the King's party for the same period. Queen Mary's Commissioners requested in reply that they would produce the Articles which had been proposed to their Sovereign at Chatsworth, and offered to treat upon these articles individually in the order in which they stood, but this proposal was evaded by the English who declared that these articles would be agreed to by their Sovereign, provided the security required were obtained (*Anderson's Collections*, III. 125-9.) Queen Mary's Commissioners produced their answers in writing on the 12th of March. Respecting the delivery of the Prince they declared their assent, so far as it was necessary for

surrender of a child in the hands of a party over whom the Queen of England had the complete control. As to the other hostages they offered one Earl, one Lord, and other two "lordes sonnes or brothers apparent,"—to be exchanged every six months for others of equal rank: "and of the Earles," they say, "as we trust assuredlye the Duke of Chastellerhault will not refuse to be one and theldest sonne of thearle of Huntlye ane other, and as to the degree of the Lordes theis followinge, Ogilby, Dromond, Oliphant, Yester, Borthuick, Summervell and Gray, one of them and one of their eldest sonnes." The Commissioners further intimated that the King's party in Scotland would be received into favour by the Queen "and interteyned in their owne estate and place, as if they had never excepted any thinge againis her," and that an Act of Oblivion would be passed, provided they would bind themselves "to serve and obey her as their naturall Sovereigne." The Commissioners declined the proposal respecting the Castles to be held by the English because it would engender "great hatred and jealousie in the Scottsmens heartes," infringe the treaty with the French in 1560, and be a bad precedent in all future negociations (Cotton. MSS. Calig. C. II. f. 482.) An attempt was still made, however, by the English Commissioners to extort a consent to their terms from those of Queen Mary, and the Lord Keeper declared, according to Bishop Lesley, that "if the Q. of England would take advise, and good advise too, she would not suffer the Q. of Scots to come out of her hands for noe kinde of assurance that could be made by Scotland; for all that they might doe could not suffice, and therefore, said he, we [Queen Mary's Commissioners] had noe cause to refuse anie thinge that was required" (Anderson's Collections, III. 131.) But this speech produced no other effect than a spirited demand by Mary's Commissioners to know distinctly whether these were the sentiments of the Queen of England, as, in that case they would decline further negotiation. The Councillors, instantly sensible that their experiment was too bold, declared unanimously that it was the Queen's determination and their own to restore the Queen of Scots to her country and government, but said that, before proceeding farther, they would confer with the King's Commissioners. The Bishop of Ross and his colleagues were next summoned to a conference with the English Privy Council at Greenwich on the 20th of March. An account of the proceedings, copied by a person evidently little acquainted with the Scottish language is preserved among the Cottonian MSS. (Calig. C. III. f. 395.) It is unfortunately too long to admit of its being printed entire, but the following extracts contain the more important passages. Having mentioned that an attempt was again made to persuade them into a consent to the hostages and castles demanded

by Elizabeth, and to the Articles proposed to the Queen of Scots at Chatsworth *in cumulo*, and that they declined treating except upon each individual article, the Queen's Commissioners thus proceed:

"Yit as befoir we desirit effectuislie that thair honors vald be so gud as to move the Quene that thais articles quhilkis wer so hardlie requirit of us myght be mitigat be hir hienes in ane gentill maner Quhairupone we desyrit to know hir Majesties will and plesor quhilk thai promesit to do And to that effect thay past to the Quenes hienes and in the meane tyme [we] removit us And at thair returninge we enterit agane in counsale, Quhair it vas declarit to us upone hir Majesties part that she desyrit the hole articles that vas proponit at Chattisworth to the Quenes Majestie oure souveraine for hir assurance to be accordit unto be us, in the same maner as thay ver proponit afferming that thay var all over lytill for hir suiritie with vys additions theirtio specialie of the hostages quhilkis vas desirit in speciall, to wit the Duik of Schattelerault the Duiks [Earles] of Huntlie and Argyle, the lordis Home and Hereis with ane uther to be namit be the Quene of England and that the Castelles of Edinburt and Striveling sould be gevine in keping to the Earle of Lennye [Lenox] and Mar And becaus that the treaty for the assurances of the Quenis part could not have be [bein] weill performit onlis ane concord and perfit reconciliatioun wer maid betuixt the Quene of Scotland and hir subgettis and amangis the subgettis thair selfis to that effect the Quenes Majestie of Scotland myght be restorit with universal consent of all hir subjecteis and the Quene of England fullye assurit quhilk mattir tendit to the disposing of thair King quhairupon thay hed delt werrey earnistlie with the Earle of Mortoun and his colleagues bot they hed no commission to treat thairtill quhilk thay affirmit be thair othe As lykwis thai did alleige that it ves treason to thame to enter in treaty theiranent in there Kyngis minorite with out speciall commission gevine therto be the thre estatis in Parliament And thairfor the Quene hed excogitat ane resonabill myddis for satisfeing of all and to bring this mater to ane firme and speedy end That Mortoun and his collegies sould be Lecient [licencit] to depart in Scotland and there to call ane parliament to the effect onlie that the estates may agre upon certane Commissioners to treat in this cause And thereafter four or five commissioners for the quene of Scotlands part and als mony for thairs quhair two or thre of the quene of England salbe put to meit in Scotland or upon the borders of England and there to agre upone all maters debatable amangis thame and in case thei should nocht keip their promisse the Quene of England salbe in how to have thaire part and assiste the Quene of Scotland in tymes cuming To the quhilk it is [wes] answerit that there hes bene sufficient reasonis given to the counsale quhy we could not aggre to all these articles quhilkis vas proponit at Chattisworth

nor yet to that thing quhilk is addit theirto for the pledgis which ar requyrit in particulare And as to the departing of the Earle of Mortoun in Scotland we being not to aggre thairto in any vise nor it can nocht stand with the Quenis Majestie honor to suffir him to depart quhill that this treaty sall tak sum effect in respect of hir promisses maid to ther [other?] princes and to the Quene of Scotland Item it is not neidfull to thame to retourne for ane commission in respect that the prince is ane infant and hes no consent at all Lennox there pretendit report [regent] is the quenis subgett Mortoun is heir who is the contenance of thair forces Mar and Glencarne men abill annench to follow ony gud advice And thair is no uthir nobill men of ony accompte upon thair part. Item we ar assurit that ther ves ane pretendit Parliament haldene be thame in thair maner in october last quhairin they chuysit Lordis of thair articles quhilkis Lordis sat as is accustomat and thair desirit the Erle of Mortoun and the Lord Glamis with sic utheris as thay plesit to cum in England with sufficient commission to treat with the Quene of England upone all the headis contenit in the articles commonit at Chattisworth quhairof thay hed inspectioun and sure knallaig of the effect thereof so that thai can pretend no ignorance and lykwise to the same effect thair ves ane article maid for uplifting of ane taxatioun throu the haill realme of the sowme of xij^m markis for sustenyng thare charges in the said waiges and for these and mony other reasons than alleigit gif they sould be suffered to depert on this maner, thair ves no houp to be had for any gud succes in this treaty and that Mortoun vald no moir keip his promisses now in that part nor the earles of Murrey side quhan he returned last hame and thairfor the Bischop of Ros in speciall did charge the quene and counsale both declaringe how that he hed followit be lonng and mowall [continowall?] sute the restitution and delivery of the Quene his maistres neirly thir thre yeris past and trusting in many faire vordis and promisses maid to him alsweill be the Quene of England as her counsale he hes causit the Quene his maistres and the nobilitie of thar countrey to look for sum guid and speedy end in this treaty and now seing no gud to follow he salbe sklenderit for his facill credeth gevine to these fair wordis and gif so salbe he wedis discharge himself and make manifest to all parties and uthers that he hes bene so abusit for he gate no uther thing nor of the quenes Majestie of England and her counsale from tyme to tyme Thairfor craving there pardone to leave with hir in respect no matter seide touche him so nere besought thame to move the quenes Majestie their souveraine nocht to suffre the matter to be left on that ways but to take some ordor before the departing of Morton And gif they commission that you may se fore it alwayes that Mortoun to the end of the treaty otherwise it wald be thought wes litill

good apperence. To this it wes replied be of the counsale specialie the kepare, Sussex and uderis that albeit the Bishop of Ros had sum reason to delays gevine unto him as . . . who that the same being of so great weicht could not be we vall . . . it and taik it upone thair honors thay as ves possible to be done for expedition, bot seing they had no commissioun they could nocht preasse thame yit nevertheles they affirme we had in this a greit advantage for now the Quenes Majestie and hir counsale hed declarit planly and manifestlie to Mortoun and his colleagues that she was determit to restore the Quene of Scotland to hir crowne and realme quhilk she nevir did to Murray nor ony other before, and that she wold tak sufficient assurance and promes of Mortoun to travell with all the remanent of there party in Scotland to that effecte and gif he dide nocht proceid trewlie as apperteins in sic ane cause the Quene wald promis apone her honor to leave them and assist to the Quene oure mistres and hir party and affermed it vold be a greit diminution of there credit in Scotland whene they sall here that he is returned to hald ane parliament for restitution of the Quene and deposing of there Kyng and it is werrey requisite to have ane ordor keped alsewill in the taking of the Crownn frome him be a parliament as it vas approved be ane parliament And the delay sould not be longar nor the lawes of Scotland wold permit to hold a parliament quhilk ves alreddy continued to may next in respect of the quhilkis they desyrit us to advyse for ane day or two and give oure answer resolutlie theirtro ather to the Commissioners or to the Quenes Majesteis self Quhilk we did and to that effect we hed audience appon the 23 of marche whare we gave oure answer as is conteint in the proces therof wrettime in ane letter to the Quenes Majestie oure soverane* quhair efter lang reasoning be laike [we tuik?] to be advysed with the Quene our soverane affirming that without hir hienes advyse we hed no commission to aggre therto. This was the effecte of our conference that day.

JO. ROSSEN. A GALLOWAY.

WILLIAM L. LEVYNGSTON.

* See the Declaration made by the Queene's Majestie to the Queene of Scotts Commissioners, 23 March, 1570-1 (Cotton. MSS. Calig. C. II. f. 489.) On this occasion Elizabeth declared her conviction that the Earl of Morton and his fellow-Commissioners had not the necessary powers to treat: she recommended that a parliament should be held by each party for the purpose of granting new Commissions, and in the meantime that the armistice should be renewed. In order that neither party might be injured by the other, she offered to send "one of her owne good credit to remaine and attend when [whill?] that the said Parliament should be ended to se that all should be duly observed"! This is truly an excellent specimen of the many friendly and disinterested offers of the Queen of England.

The Queen of Scots "in respect of the small apperance of anie good succes to followe by anie treatie, seeinge so longe time spent and soe frivolous causes pretendit for delaie therof;" wisely declined agreeing to the proposal of Morton and his colleagues, unless by the advice and consent of her nobility in Scotland. In order that that opinion might be obtained, she summoned to her the Bishop of Galloway and Lord Livingston with the intention of sending them into Scotland, and they accordingly left London, April 11, 1571. (Anderson's Collections III.141, 7.) On the 12th Elizabeth wrote a letter to the Queen of Scots assuring her of her resolution to continue the treaty, "and pursue the same to some good end." "We cannot," she continues, "but thynke yt meete to add this by our letter for your satisfaction that your Commissioners have faithfullie diligentlie and discreetly used themselves in all thier treaties and negociacions with us and that nothing ells hath moved us to cease from proceedinge herein but the open lacke of authoritie in the Commissioners on your sonnes parte to assent and accept such condicions as we should finde meete and honorable both for you and him and for the realme and the subjects therof the suretie safetie and quietnes whereof we doe so much desire, as to conclude this cause with apparance to hazard anie of the same by hastie proceedinge where by some lesure and some better order agreeable to forme of Justice all maie be preserved or at the least extremities provided for were an act very dishonorable and specially offensive to almighty God the author and commaunder of peace and concorde. And so ys our doings may be truly declared unto you we doubt not but the same shalbe allowable in honor and reason. We have also thought meete consideringe by your letters you referred the Bp. of Ross contynnance here or retorne thether to be according to oure likinge that for your benefit he should retorne thither and to be absente from hence this tyme of our parliament for avoyding of occasions to breed offence that by his being here would be conceaved and not only trouble us but offend you as we have imparted our meaning herein with more particularities unto the said Bishop." (Cotton. MSS. Caligula C. III. fol. 63.)

Thus ended this farce, which, notwithstanding Elizabeth's professed intention, was never reacted. The Queen of Scots, after enduring the sickening alternations of hope and disappointment for nearly a year, remained a closer prisoner than ever.

It may perhaps be remarked that in the account of this Treaty little has been said respecting the transactions of the King's Commissioners, but as each party seems to have treated apart from the other with the English Commissioners, it would be out of place here to give any account of the negotiations, except in so far as Gordon and his colleagues were concerned. It is true indeed, that Livingston and Gordon had several conferences with the Earl of

Morton and his party, but they led to no favourable result. "Neyther did they on the other [King's] side," says Spotswood, "omit the best endeavours to move the [Queen's] lords to return to the King's obedience: but none of the parties minding to yield to the other the Lord Levinston broke off y^e conference with these words, My Lords, Our errand was to persuade you to an accord, but we [you] are not [more] like to gain us than we you: therefore we will leave it at this time, Which having said they departed" (Spotswood's Hist. with the MS. additions, Stirling's Library, Glasgow, p. 251. This passage is not in the printed copies.)

The Bishop of Galloway left Sheffield about the beginning of May, carrying with him letters from the Queen to some of her principal adherents in Scotland. In one of these written to Vans of Barnbaroch, and dated on the last day of April, she mentions the Bishop "as a faithfull Commissioner" who "hes weill and diligentlie done his devuoir in treating with the Quene our gudsister this quhile bygane for our restitution" (Miscellany of the Maitl. Club, Part II. 267.) "Lord Herreis and the Laird of Lochinvar depairtit af Edinburgh to meit Alexander bischop of [Athenis] ambassatour for the pairt of the nobilitie assistaris to the quene, quha wes remayning at Carlile vnto the tyme thai come to convoy him," on the 18th of April, according to the Diurnal of Occurrents (p. 208,) but this is unquestionably a mistake for May. Under their protection the Bishop probably resumed his journey: we meet with no farther trace of him till the month of June, when he is found safely ensconced in the good town of Edinburgh.

NOTE E.—GORDON'S DEATH AND POSTERITY. (Page 160.)

BISHOP Gordon died in 1576 (Gordon's Hist. of the Earld. of Sutherland, pp. 172, 290.) Keith has represented him as resigning the revenues of the See of Galloway in his last illness in favour of his eldest son (Cat. of Scot. Bish. Russel's edit. 279,) and in this statement he has been followed by others. This error probably arises from an accidental substitution of 1576 for 1567 in the charter quoted *supra* page 148, which opinion is confirmed by the circumstance of Keith mentioning it as in possession of Semple of Beltrees. But, although Keith may not have stated correctly the mode in which Gordon preserved the benefice to his family, the fact is unquestionable that it continued in it for many years after his death, and, when it did emerge from it, was in

such a dilapidated condition, that, according to Spotswood, it was "scarce remembered to have been." (Keith's Catalogue, *ut supra*, p. 280. Spotswood's History, 456.)

The family of Bishop Alexander Gordon by his wife Barbara Logie, daughter of Logie of that Ilk, consisted, as mentioned by Sir Robert Gordon, of four sons and one daughter (Hist. of the Earld. of Suth. p. 290.) As Gordon could not lawfully marry in Popish times, his children were legitimated by Letters under the Great Seal. The Record contains, under date 26 Sept., 1553, the legitimation "*Johannis et Alexandri, Bastardorum filiorum naturalium Magistri Alexandri Gordoun*" (Reg. Mag. Sig. xxxi. 187),—the younger, Alexander, must have died in early life, as he was not known to Sir Robert Gordon. The eldest John, in whose favour the revenues of the Bishoprick of Galloway were resigned in 1567 (*supra*, p. 148,) was afterwards highly celebrated in the very different characters of a courtier and a controversial divine. In 1583, he is mentioned as Bishop of Galloway (Reg. Mag. Sig. xxxv. 816);—he got a charter of the lands of Cardnay in Perthshire, Dec. 8, 1585 (*Ibid*, xxxvi. 288); he became Lord of Longormes in right of his first wife Antoinette de Marolls, a French lady, who died in 1591; in 1594 he married Genevieve Betaw, daughter of M. de Moylett first president of the Court of Parliament in Bretagne; he was made Dean of Salisbury by King James in October, 1603; and was in June, 1610, served heir to his brother Laurence in the lordship of Glenluce (Inq. Gen. Abbrev. 37), which, in accordance with the policy of the family, he disposed to his son-in-law, Sir Robert Gordon (Russel's Keith's Cat. of Scot. Bish. 421.) It is unnecessary to follow his history farther, as a very full account of his life is given by Sir Robert Gordon of Gordonstoun, in his *Historie of the Earldom of Sutherland*, pp. 291—4. Of the other members of the Bishop's family less is known. The next son, Laurence, was provided to the Abbey of Glenluce, Feb. 22, 1581 (Reg. Mag. Sig. xxxv. 559.) On the 3rd of December, 1583, a charter of confirmation of the lands of Bishopstoun and Balzequhar (Wigtonshire) was granted to Laurence Commendator of Glenluce, "*fratri germano Joannis Candidæ Casæ Episcopi*" (*Ibid*, xxxv. 816.) The abbacy of Glenluce was erected "*in temporalem tenandriam*," Aug. 2, 1602, by charter from James VI. (*Ibid*, xliii. 245,) which was confirmed by act of parliament in 1606 (Acts Parl. Scot. IV. 327.) Laurence Gordon died without leaving male issue in the interval between May, 1609, and June, 1610, and at the last-mentioned date his elder brother John, "*Dominus de Longormis et Decanus de Saulisberre*" was served heir-male to him (Pitcairn's Crim. Trials, III. 9. Inq. Special. Wigton, 37.) He seems, however, to have left at least two daughters,—Margaret who died before May 18, 1643, and Janet who was then

served heir to her in an annuity of 1000 merks, &c. (Inq. Special. Wigton, 108.) George Gordon, Bishop Alexander's next son, was presented to the See of Galloway, 8th July, 1586, on the resignation of John his eldest brother (Reg. Present. Benef.) Robert, the only other son mentioned by Sir Robert Gordon, was a favourite servant of Margaret Queen of France and was slain in that country in single combat (Hist. Earld. Suth. 290.) There seems, however, to have been another son not known to Sir Robert, for William Gordon was provided to the abbacy of Glenluce, Feb. 22, 1581, "*casu decessus Laurentii sui fratris*" (Reg. Mag. Sig. xxxv. 560.) Bishop Alexander's only daughter, Barbara,—who was legitimated 6 Nov., 1553, (Reg. Mag. Sig. xxxi. 139),—was married to Anthony Stewart, Rector of Penninghame, son of Sir Alexander Stewart of Garlies by his third marriage; she brought her husband the lands of Clarie and had issue (Wood's Douglas's Peerage, I. 619.)

Dr. M'Crie (Life of Melville, 2d edit. II. 139, *note*) has pointed out some circumstances which produce an apparent confusion in the appointments of John, Rodger and George Gordon to the See of Galloway after Bishop Alexander Gordon's death, but that confusion appears to arise from circumstances which the Editor will endeavour to explain. The successor of Bishop Alexander was Roger,—not John,—Gordon, for in the Register of Presentation to Benefices, 17 Sept., 1578, there is an order for "ane letter to be maid vnder the great feill direct to patrik Archbp. of sanctandros, &c.,—that the feate of galloway laitie vacand be the naturall death of Alex^r. laft bishop y'of, &c., at the petition of the Dean and chept^r, and with advife of Morton lait Regent grantit licence to choofe, and ye Dean and chapter did choofe Mr. Roger Gordon. His hienes gives assent and requires the archbps., &c., to consecrat him at Sterling." The editor has not ascertained whether Roger was actually consecrated, but he appears to have been succeeded in the See by John Gordon, Bishop Alexander's eldest son, before 1583 (see the earlier part of this Note.) To him succeeded his younger brother George, who was presented to the bishoprick of Galloway and abbacy of Tongland, "*vaikand be demiffioun of Mr. Johne Gordoun, laft bishop and abbot y'of,*" 8th July, 1586 (Reg. Present. Benef.) There are two authorities which produce the apparent contradiction of these statements to which Dr. M'Crie alludes, but there seems little reason to doubt that it arises in both cases from a misprint. The first is Keith's Catalogue of Scottish Bishops (Russell's edition, p. 279,) where John Gordon is said to have succeeded to the Bishoprick by his father's resignation in 1576, but this has been already shown to be a mistake for 1567. The other authority is Calderwood's printed history, pp. 425, 6, where the Bishop of *Galloway* is said to have been a fugitive since the Reformation, and to have

been restored to his honours and emoluments in 1598;—this is an evident misprint for the Bishop of *Glasgow* and refers to the famous Archbishop Betoun (McCrie's *Melville*, 2d edit. II. 71.) With these explanations the order of the appointments to the Bishoprick of Galloway seems perfectly clear.

LIFE OF MR. ROBERT PONT.

NOTE A.—NOTICES OF PONT BEFORE THE REFORMATION. (Page 163.)

THERE are several statements respecting the ancestry and birthplace of Mr. Robert Pont which it seems difficult to reconcile. It is agreed upon all hands that his father was John Pont, and that he was a gentleman of good rank (Blackader's *MS. Memoirs*, Adv. Lib. Rob. III. 5, 7. Crichton's *Life of Mr. John Blackader*, 2d edit. p. 15 *note*.) By the first of these authorities Robert Pont is said to have been the son of John Pont of Shyresmill, and Catherine Murray the daughter of Murray of Tullibardine. Mr. Crichton (*Life of Blackader*, *ut supra*) on the authority of the writs of the family of Blackader, mentions that John Pont, du Pont, or da Ponte, was a Venetian of noble family, and that, being banished from his native place on account of his religious principles he took refuge in France, and afterwards came to Scotland in the train of Mary of Guise, the second Queen of James V. As the editor has not had access to the writs referred to, he is ignorant of the nature or value of the evidence upon which this statement is made, but it seems incompatible with Buchanan's assertion (*infra*, note I.) that Robert Pont was born at or near Culros, as he could not have been born there after the Queen's arrival in Scotland in 1538, and attend the University of St. Andrew's in 1543. The reader will determine for himself which of the authors is most to be relied on. Whatever may have been Pont's descent, the name was common in Scotland long before his time, and is often to be met with in the Commissary Books of St. Andrew's. Robert Pont is mentioned as a member of the faculty of arts at St. Andrew's in 1489, but this person is afterwards called Pantre, and some mistake may therefore have been committed in the transcription.

Respecting the family of John Pont no other information has been obtained than that he had two sons,—James,* of whom a few scattered memoranda are collected in the note below, and Robert, whose history is the proper subject of the present inquiry.

From the dates supplied by Buchanan (*infra*, note I.) it would appear that Robert Pont (generally called, in his younger years, Kynpont or Kylpont) was born in the year 1524. The circumstance of his having been born at Culros or in its neighbourhood, and educated at the school of that place, as mentioned by the same author, will be admitted or rejected according to the conclusion to which the reader may come regarding the different statements of his parentage supplied in the beginning of this Note. It may be remarked, however, that the *Natio Albania*, to which he belonged (Record of St. And. Univ. quoted below) included the whole coast from the east of Fife to Clackmannanshire, a fact which in some measure confirms Buchanan's statement. The indication of very superior talents (*magnam ingenii spem*) induced his parents to send him to college, probably at an early age. Here he soon distinguished himself, and gained the esteem of his fellow-students by his amiable dispositions, and their admiration by his acquirements (*infra*, Note I.) The Records of the University of St. Andrew's supply the following notices:

1543. Incorporat. in Coll. divi Leonardi

Robertus Kylpont,—Albaniae. In the same year

Johannes Rove (Row) Laudoniae.

After finishing the philosophical curriculum, Pont entered on the study of

* The following notices of James Pont occur in the Records of the University of St. Andrew's:

1550. Incorp. ex coll. divi Leonardi.

Jacobus Kynpoint,—Alb.

1552. Determ. Jac. Kylpoint.

1554. Licent. Jac. Kylpoint e loco Leonardi.

These dates lead to the conclusion that he was the younger brother.

The General Assembly held in June, 1562, appointed Mr. James Pont to minister the word and sacraments in Melros till next Assembly (*supra*, p. 164.) Mr. James Pont was appointed one of the Commissioners to inquire into the dilapidation of benefices within Stirlingshire, Strathern, Clydesdale, Dumbarton, Renfrew, Lennox, Kyle, Carrick, Cunningham, Galloway and Nithsdale, in June, 1595, (*supra*, 383.) Mr. Robert Pont is served heir "Magistri Jacobi Pont, Commissarii Dunblanensis, *fratris*," Sept. 8, 1602 (Inquis. Gener. 113.) In the books of Session there is registered a discharge dated 21 May, 1605, by Mr. Robert Pont to Abigail Strang, relict of Mr. James Pont Commissary of Dumblane, his brother, who died in July, 1602 (Lib. 109.) There is no other evidence, however, that some of these notices refer to the brother of Robert Pont, than that it is the only family of that name that is mentioned in the public transactions of the times.

theology in which he also carried off the highest honours (*infra*, Note I.) From this period to the year 1559 no trace of him has been discovered: it is probable that in the interval between these dates he studied Law in some of the foreign Universities. If this was the case he must have returned to Scotland before that time, for the following curious allusion to his personal appearance then occurs in the Kirk Session Record of St. Andrew's:

1559, Feb. 14. In the process W^m. Rantoun ag^t. Elizabeth Gedde, for suspicion of adultery, one of the witnesses Margaret Moncur in Anstruther, "beand sperit quhat sche kend of W^m. Rantoun's wife," testifies that "sche come to Sanctandrois town four days befor Sanctandrois day & yeir bigane at Sanctandrois day last by past and sche beand ludgand in W^m. Rantoun's, &c., saw ane young man quhilk sche weyns haid beyne Williame Rantoun himself . . . the said man haid *rede hoyse and ane dosk beyrd lyke Maister Robert Kynpount quhais beyrd sche lykenet the mannis unto* quhilk Mr. Robert ane of the seniors wes present at her examinatioun. Sche affirms it wes Andro Olyphant."

It may be mentioned that in this case the session with advice of Mr. John Douglas, Rector of the Universite of St. A., and Mr. *John Wjrame Supprior*, "men of singular erudition and understanding in the Scriptures and word of God, with Mr. William Skene and Johne Rutherford, men of learning in sundry sciences," declared Elizabeth Gedde innocent of the crime laid to her charge. W^m. Rantoun himself was afterwards divorced for adultery committed with Margaret Annan.

NOTE B.—NOTICES OF PONT AS AN ELDER AND COMMISSIONER FOR ST. ANDREWS
TO THE GENERAL ASSEMBLY, 1560–1562. (Page 164.)

Wodrow has overlooked the earliest notices of Pont in the Record of the General Assembly. In the list of Commissioners to the first General Assembly are Christopher Guidman, David Spens and Mr. Robert Kynpount for St. Androis. And among the "names of thame q^{lks}. ye ministers and commissioners think maist qualifeit for the ministering of the word of God and sacraments," &c., the following appear: "In Sanctandrois for ministering and teaching, Maisters John Rutherford, W^m. Ramsay, Robert Kynpount," with many others—21 in all (Buik of the Universall Kirk of Scotland.)

Pont appears to have been an elder at St. Andrews from the earliest

period. The election of "Maister Jhon Wynram, superintendant of Sanctandr^s diocesye," March 20, 1560-1, is subscribed by Christopher Gudman min^r, Mr. Alane Lawmonth, Mr. Thomas Balfour, Jhone Moffat, Mr. Martyn Gedde, Jhon Motto, *Mr. Robert Pont*, eldairs, David Spens, Thomas Welwod, George Blak diaconis Sanctandr." (Kirk Session Record.)

The following notices of Pont in the same capacity also appear:

May 18, 1561. In the proces for divorce Alison Culland against James Alexander in Sanct Monanss the *Petitio supplicatoria*, as it is called, begins, "My Lordis minister and eldairs of the christian congregation of the cietie of Sanctandr. unto your ll. humilie menis, complenis and schawis I yo^r servitrice Alisone Culland upoun my pretended spous James Alex^r indweller in the town of Sanct Monanss." The sentence of divorce is signed by Christopher Gudman minister, Mr. Alan Lawmonth, Mr. Thomas Balfour, John Moffat, *Mr. Robert Pont*, Thomas Marten, Mr. Martyn Gedde, and five other elders" (Ibid.)

"Mr. Robert Pont elder and commissioner of St. Androis" was present at the convention of the Kirk of Scotland, June 29, 1562 (Buik of Univ. Kirk.)

NOTE C.—PRESENTATION OF PONT TO THE PARSONAGE AND VICARAGE OF
BIRNAY. (Page 168.)

THE uncertainty here expressed by Wodrow as to the period at which Pont became Superintendent of Murray, after having mentioned his appointment as having taken place in 1563, must be accounted for from the insertion of the last sentence in page 165 after the rest of the Life had been written. In 1567, (Jan. 13,) the year in which Wodrow here supposes him to have become Superintendent of Murray, there is recorded "ane presentatioun to Maister Robert Pont Commissionare of the Superintennandrie of Murray to the personage and viccarage of the paroche kirk of Birnay, liand in the diocie of Murray, and within the shirefdome of Elgine and Fores, vacand as ane commoun kirk sumtyme pertaining to the Chaplanis of the Cathedral Kirk of Murray," &c. (Reg. Secr. Sig. See also Reg. Pres. Benef. I. f. 2, where it is extended.) The period about which Pont resigned his appointment of Commissioner of Murray, and the cause of that resignation may be gathered from Note D.

NOTE D.—PENSION TO MR. ROBERT PONT. (Page 173.)

OURE fouerane Lord considering the estate of his weilbelouit Maister Robert Pont ane of the senatouris of his hienes college of Justice and his continewall awayting thairupoun in his hienes seruice, quhairby he is abstracit from his former office of commissiounary or superintendencie ower the kirkis within the boundis of Murray and that he hes not presentlie any vther ecclesiasticall leving quhairupoun he may commodiously leif; Thairfore and for vther considerationis moving his hienes with auise &c. Ordanis ane Letter to be maid vnder the previe seill Disponand to the said Maister Robert ane penssioun of three hundreth merkis out of the thriddis of the diocy of Murray during his hienes will and ay and q^h. he be vtherwise prouidit, And assignis to him the thrid of the victuall of the thesaurarie of Murray extending in rentale to seven chalderis v. hollis 3 pairt boll beir at xx^s. the boll and xvj^d. xiiij^d. money out of the thrid of money of the said thesaurarie makand in the haill twa hundreth merkis And the thrid of the teind falmoud of the thrie coblis of Spey pertening to the thrid assuinit to the bischoprik of Murray gevand be 5eir ane hundreth merkis And the Letter to be extendit &c. with inhibitioun to the collectouris of the thriddis baith generall and speciall, thair factouris officiares of armes or any vtheris in thair names and all vtheris quhome it efferis To mell with the saidis thriddis assignit to the said Mr. Robert Ordaning the Lordis of counsaile and Sessioun To grant letteris in forme and maner as thay ar gevin at the instance of vther ministeris for ansuering thame of thair assignit stipendis according to the ordor latelie takin. At Halyrudehous the sext day of Nouember 1573 (Reg. Present. Benef. I. f. 13. See also Reg. Sec. Sig.)

NOTE E.—PONT'S PRESENTATIONS TO THE PROVOSTRY OF TRINITY COLLEGE AND THE VICARAGE OF ST. CUTHBERT'S KIRK. (Page 173.)

ON the 27th of January, 1571-2, nearly two years before Pont received the pension mentioned in Note D. he had been presented to the provosty of the Trinity College beside Edinburgh, "vacand throw the deceif of Laurence Clappertoun last prouest thair of" (Reg. Present. Benef. I. f. 11.) The revenues of this benefice must have been small as Pont is described in Note D. as having no ecclesiastical living "quhairupoun he may commodiously leif." He was appointed colleague to William Harlaw, minister of St. Cuthbert's, Kirk about 1574 (History of the West Kirk of Edinburgh, p. 21, *note*), and on December 29,

1578, was presented to the vicarage of St. Cuthbert's Kirk vacant by Harlaw's decease (Reg. Present. Benef. M'Crie's Life of Melville, 2d edit. I. 187, *note*.) Several notices of Pont's connection with the cases of Mr. Thomas M'Calzean of Cliftonhall, and Mr. Robert Hamilton minister of St. Andrew's, will be found in the Record of the Presbytery of Edinburgh for 1574 (Miscellany of the Maitland Club, I. 109-15.) He resigned the provostry of Trinity College, June 23, 1585 (M'Crie, *ut supra*. See also Maitland's Hist. of Edinburgh, pp. 212, 480.)

NOTE F.—PONT'S SHARE IN ARBUTHNOT AND BASSANDYNE'S BIBLE. (Page 173.)

A VERY full account of this Scottish *editio princeps* of the Bible will be found in Dr. Lee's Memorial for Bible Societies in Scotland, pp 28-45,—see also Wodrow's Life of Smeton, *apud* MSS. in Bibl. Acad. Glasg. Besides the Calendar mentioned by Wodrow (*supra*, p. 173,) Pont framed the rules for understanding it.

NOTE G.—SUPPLEMENTARY NOTICES OF PONT, 1581-3. (Page 180.)

UNDER the year 1582 Wodrow has omitted to notice Pont's connection with the prosecution of Mr. Robert Montgomerie, who had been presented to the Archbishoprick of Glasgow by the Duke of Lennox on the death of Boyd. In April, 1582, Pont intimated to the Privy Council the refusal of the presbyteries of Dalkeith, Linlithgow and Edinburgh, to recognise its right of interference with the proceedings before the ecclesiastical courts (Calderw. MS. Hist. in Bibl. Acad. Glasg. III. pp. 83, 90, 91.) Montgomerie's case is so well known, and is mentioned by so many of the printed historians, that no further notice of it is necessary here.

Another incident in Pont's Life, which Wodrow has not noticed and which is less known, is his residence at St. Andrew's about the same period. After the death of Mr. Robert Hamilton, minister of that place, Archbishop Adamson alone remained to perform the ministerial functions. That prelate was frequently absent or engaged in other business, and the Kirk Session were therefore in the habit of sending two of the elders each week to request that Andrew or James Melville would occupy the pulpit on the sabbath day,—a request which for a considerable period they complied with (J. Melvill's Diary, pp. 89, 90.) The Kirk Session in the meantime became anxious for the settlement of

a successor to Hamilton, and procured through the commissioner to the General Assembly ("Mr. W^m. Cok, bailzie") the following Act, dated Oct. 30, 1581, "Anent þe pvisione of the Kirk of St^e Androis of ane pastour the Kirk hes tho^t it meit That þe pryor and Town of St^e Androis nōinat such ane of þe brethrene q^m. they have beft lycking to Serue the cure and to ppone him vnto the Minifters of the Kings hous, the Minifters of Ed^r, Mr^r. David Lindfay [and nine others] to q^m. or any aucht of them the Kirk gives Comiffiounne to give assent in y^r. name y^rto and to place him þair pvyding they find no lauⁿ. impedement that may stay þe placing y^r. Or that they be not ane of ye Colledges q^m. the Kirk exemis for ofideratiouns y^rfrom, And sicklyke y^t w^t þair advyfe þe minister pūtit may be sufficiētlie pvydit, As also his Kirk q^rfrom he is taken be also flantit" (Sess. Record Buik of Univ. Kirk. in Bibl. Acad. Glasg.) It appears from the next notice of the subject in the Kirk Session Record that that Court had chosen Mr. Robert Pont, and accordingly on Dec. 6, 1581, "The Session ordains Mr. Patrick Adamson bishop of St. A., Mr. Andrew Melvill Prin^t of the new college, Mr. James Wilkie rector, Mr. James Martine provost of the auld college, Mr. John Robertson [and 12 others] with the provost of the citie, to pass altogether to my Lord Erle of March prior of St. And. upon Saturday next, and travel with his L., for ane ressonable stipend, to Mr. Robert Pont quhome the sessionn think meit to be minister of this parochie, and to report ans^r. heirof again þis day aucht days."

The state of the negociation at subsequent periods will be best understood by the following extracts from the same Record:

Dec^r. 20, 1581. Mr. W^m. Cok bailzie takes the burden upon him to convene the counsell of the toun for sending of ane honest man to Ed^r. with my Lord of Marche letter, and ane uther letter fra the toun to Mr. Robert Pont to be pastor of þis congⁿ, that the answer Maister Robert maid may be had y^anent with diligence or himself to cum in proper person.

May 9, 1582. It is thought meit be the sessioun þat þe bishop, Mr. W^m. Cok, Mr. David Russell, &c., pas and confer w^t my Lord of Marche for gude order to be taken for Mr. Robert Pont minister and for his stipend, y^t he may be hastit to cum hame, and to report answer this day aucht days.

Oct. ult. 1582. It is ordainit be the session that in all tyme cuming q^h. God provide ane ordinar pastor to þis kirk ye first article that beis proponit and resavit in sessioun ilk wednesday sal be to know quha sall mak ye sermonis in þis paroch kirk þe nixt friday, sonday and weddensday, &c. (Rec. Kirk Sess. St. And.)

All attempts at procuring a stipend for Pont appear to have been fruitless. It had originally been the policy both of the Magistrates of the Town, and of the Prior and his "gentlemen pensioners," as James Melville terms them, to

keep the appointment vacant, and in the meantime they “tuk vpe the stipend and spendit the sam, with the rest of the kirk rents of that pryorie, at the goff, archerie, guid cheer, &c.” (J. Melvill’s Diary, p. 90.) The same system was probably continued during Pont’s stay, in the expectation that he would retire and that the gratuitous services of the Melvilles would then be resumed. On the first of these points they were not disappointed, for at the General Assembly held in April, 1583, “Mr. Rob^t. Pont declarit y^t with losse of his heritage and wardlie commoditie he had proponit to sitt down in St. Andrews and had served on his awin charges ane haille zeir, and culd not have any equall condition of leving, na not be least provision pat any had y^t past before, and now altogether his heart is abstractit fra þame, praying þe kirk not to lay y^t charge upon him agains his will” (Buik of Univ. Kirk.) In the following August the Kirk Session of St. Andrew’s applied for Mr. Alexander Arbuthnot of Aberdeen, but did not succeed. Pont now resumed his former charge at the West Kirk of Edinburgh.

NOTE H.—NOTICES OF PONT AS MINISTER OF ST. CUTHBERT’S KIRK. (Page 182.)

PONT’s settlement at St. Cuthbert’s Kirk as colleague to Harlaw has already been alluded to (*supra*, Note E.) The following are selected from the very numerous notices of the transactions in which he was engaged during this period of his life in the record of the Presbytery of Edinburgh.

“1588, Nov. 5. Complaint against the Bishop of St. Andrews by John Burne, David Spens, Robert Pont and Nicol Dalgleish.*

“Mr. Robert Pont and Mr. Nicol Dalgleish thair complante that quhairas thei wer appointit be commission of the General Assemlie first in February and thairefter in August last bypast, to have visited the North partis of this realme and kirkis thairrof for establishing gude order thaire, and namelic, for resisting and repressing the papistis and Jesuittis, thair flocking and resorting to the greit hurt and hinderance of the evangel erecting idolatri in sundri placis quhilkis were of before reformed, and thair was appointit to thame for furnishing ane part of thair expensis in so tedious and sumptuous ane journey that £ . . . to be payit out of the Bischoprik of St. Androis by the said Patrik callit Bischop thairrof, quha notwithstanding he was chargeit be the Kingis majesties letteris in May last, was to pay to thame the said soume, thei not being able

* The complaints by David Spens and John Burne are here omitted.

upon thair awin cost and charges to interprys the said sumptuous journey without dishonoring of thair message and commission, unles thai had bene payit of the said soume, and albeit thei had written to him also in a friendle maner to have payit, the said Patrik wald nayther denȝie [deign] himself to wryt ane answer to thame, nayther wald obey the charge of the saidis letteris, bot hitherto had postponit and deferit to make ony satisfacioun of the said soum to thame, so that onlie in his defalt the said visitatioun was delayit, and the kirk frustrat of the executioun of the commission, and the said north cuntrie being almost the half of the hail realme, left destitute of good order and reformatioun, the Jesuittis and Papistis tolerat and interteined thaire both with men of gret and small degre, the haill contre abused and infected with idolatri, quhairof quhat inconveniences myght fall to the haill estate of the Kirk in this realme, the said Presbyterie myght easilie judge.

"1588, Dec. 17. [For probation of the former accusationis] Mr. Robert Pont, Mr. Nicol Dalgleish, Johnn Burne and Mr. David Spens producit letteris execut against the said Bischop to prove the accusationis and complantis, quihilkis letteris being producit and considerit be the brethren, thei have fund the sam sufficientlie provin and that throw him to have bene a plaine hinderer of the promoting and propagating of the Evangel in this contrei, not onlie in discipline bot also in sincere preiching thairrof, and as ane man laboring be indirect meins to stay and impede the same.*

"1589, April 29. It is thocht good and concludit that ane answer be made be Mr. Robert Pont, Mr. Robert Bruce and Mr. Johnn Davidstone, and that the same be pennit to the sclanderous sermon preichit at Paulis croce be D. Bancroft, and that the Kingis majestie be spokin heiranent at his returne.

"June 10. Anent the ordinance maid the 29 of April last, in the quhilk it was concludit that ane answer suld be maid and pennit to the sclanderous sermon preichit at Paullis croce be Dr. Bancroft, be Mr. Robert Bruce, Mr. Robert Pont, and Mr. Johnn Davidstone.† According heirunto the said brether declaring that thei had usit their diligence and bestowit thair travelis, quhais diligence the brether being weill lykit with continewit inspectioun and syght of the sam till the next General Assemble desyring thame to present the same to the said assemble to be sychtit be thame.

* On account of these offences and others the Presbytery of Edinburgh on the 27th of May, 1589, according to the commission given to them by the General Assembly deprived Patrick Adamson from all office in the Kirk "unto sie time as he sal satisfie for the former crymes."

† This answer was not, however, printed. The brethren determined that a short reply should be written by a single individual, and John Davidson appears to have been fixed upon. His work was printed at Edinburgh by Waldegrave, and bears at the conclusion the date, 18 Sept., 1590. (M'Crie's Melville, 2d. edit., I. 309.)

1589, July 15. Anent the commissioun of the General Assemblie q^{lk}. kirk haldin at Edin^r, the 23 of June last, gevin to the Presbiterie of Edin^r to try thameselfis: according heirunto Mr. Robert Pont being removit and his lyf and doctrine being tryit; the brether efter tryell had of his doctrine and diligent inquisition had of his lyf amangis thame selfis, fand nothing ayther in his doctrine, lyf and conversatioun that unqualifeis or makis him unmeit to continew in the office of the ministri, and for farder tryall continewit the sam to the visitatioun of St. Cuthbertis Kirk.

1591, June 1. Complaint by Mr. Robert Pont against the abbot of Halyrudhous for not providing for his kirks quhairof he takes up the rentis.

Oct. 19. Anent the question proponit be John Cairnis quhiddir a man having mareit the sister dochter may marie the brotheris wyf of that sister, craving the resolution of the Presbyterie in the sam: The Presb. for thair fuller resolutioun hes appointit thair brether Mr. Robert Pont, Mr. Andrew Melvill and Mr. Robert Rollok to ressoun the sam, and to advys quhill the 26 of this instant, ordaning in the mein tyme the said John Cairnis to proceed to the proclamation of thair bandis.

Oct. 26. Anent the appointment taken the 19 of this instant in the quhilk it was appointit that certan brether suld ressoun in the questioun proponit be John Cairns, and the haill brether to be advysit in the samin quhill this day; according heirunto the Presbiterie after lang ressoning and good advysment hes fund and concludit that a man that had mareit the sister dochter may marie the brotheris wyf of that samin sister.

1593, June 26. Anent the sute of the Laird of Marchinstoun, the Laird of Braid and Clemens Kincaid commissioneris direct from the West Kirk of Edin^r, craifing sum brother of the ministerie to be appointit to help William Ard now in Mr. Robert Pontis absence, The Presbiterie in respect thei have not will to be chargeable to Mr. Robert hes concludit everie Tysday to appoint sum brother to help his place the next Sabaoth efter, and for the nixt Sunday appointis thair brother Mr. Georg Simple.

1594, Nov. 12. The brether approvis the treatise pennit be Mr. Robert Pont aganis sacraledge, and thinkis it meit to be printit.

1594-5, March 18. The Presb. ordains thair brother Mr. Robert Pont to propone Mr. John Davidsson to the sessioun of the West Kirk of Edin^r to sie gif thei will accept of him to be thrid minister to thair kirk.*

1595, June 17. Anent the desyre of the lard of Braid and John Matheson commissioneris direct from the West Kirk of Edin^r craifing that Mr.

* It will be seen from Note I. that a third minister was not appointed till 1600.

Johnn Davidoun might be appointed to supplie Mr. Robert Pont his absence, gif the said Mr. Robert went to the North in visitatioun, quhais desyre being considerit and Mr. Johnn desyre being that gif the parochinaris will be content to mak divisoun be ressoun of thair greitnes thei suitting and he knawin his flock he sal be subject to the calling of God and will of the kirk, the said commissioneris ar willit to travell with the rest, and to returne ane ansuer to Mr. Johnn his desyre aganes the first of July, unto the quhilk tyme efter Mr. Robert his departing thair kirk sal be provydit.

1596, May 11. Anent the desyre of the laird of Braid, and Johnn Matheson Commissionaris direct from the West Kirk of Edin^r craving that in respect Mr. Robert Pont thair Pastor was employit in commissioun be act of the General Asseble in visitation of Orkney, the Presbiterie wald grant libertie to thair brother Johnn Ros to supplie the said Mr. Robert his roun quhill his returning: Quhais desyre being considerit, the Presbiterie hes continewit the satisfeing of thair desyre to the 18 of this instant.

May 18. Johnn Ros appointit to supplie Mr. Robert Ponts roun during his absence.

1597, Dec. 6. Anent the summondis direct the 20 day of June last aganes Mr. Ninian Halthrie provest of Orkney, Mr. Gilbert Body vicar of Holme, Adam Windie minister at Waus, Thomas Swintoun min^r at Kirkwall, Tho^s Fleming Min^r at Strounes, Robert Blak min^r at Evie, Mr. Patrik Watson Min^r at St. Androis Kirk in Dernes, Mr. James Cok Min^r at Mary Kirk in Sandell and Mr. Johnn Houstoun prebendar of St. Peteris charging to compeir this day before the Presb. of Edin^r to answer at the instance of Mr. Robert Pont, Alex^r Douglas, George Monro and Johnn Monro commissioneris appointit be the General Asseble for tryell of the ministeris of Orknay to the crymes objected aganes tham contenit in the said sumonds and sick utheris meriting deprivation as suld be laid to thair charge. The fairsaid persones are contine-wit quhill the 9 of Aprile nixt.*

1601, Jan. 14. Anent the commission gevin to Mr. Charles Lumbisden and Richard Thomson to sycht the expencis warit be thair brother Mr. Robert Pont in bigging of the mans of the West Kirk in Edin^r and to report the sam to the Presbiterie, that according to the act of the General Asseblie the sam may be allowit to the said Mr. Robert according heirunto the said brether reporting that thei had sychtit the said Mr. Robert his compts and findis the

* The cause does not appear to have been taken up in April, but the charge against so many ministers in Orkney shows that the visitations by commissioners from the General Assembly were not empty formalities, but very serious undertakings.

sam to exceed the soun of fyve hundred merkis, the Presbiterie upon the report of the said brether grantis ane allowance to the said Mr. Robert of the said sowms and hes concludit thir presents to be registrat in the bookis of the Presbiterie.*

April 29. The qlk day efter divers intercomonings had betwix our brother Mr. Robert Pont minister and vicar of West Kirk of Edin^r callit St. Cuthbertis on the ane part, and the parochinaris thair of on the uther part, als well be mediatioun of our brother Mr. Cha^r Lumbisden, Mr. Rich^d Thomson sent be us to appoint thame thairupon as utherwayis, the said comoning efter long delay being left of and takand [na?] effect concerning the set of the tak of the vicarag to thame, the said Mr. Robert finding himself and his successoris quha ar to serve in the ministrie of the said kirk greitli prejudgit thairby desyrit, according to the act of the Generall Assemble of the dait the 29 of March, the 3^{er} of God 1600 yeiris, quhairby this mater was referrit to our Presbiterie, that he myght have license for the weill of the kirk to sell the said vicarag to ony persone that wald pay a ressonable dewte thairfore the quhilk petitionoun being considerit and understand be us the brether of the said Presbiterie, we have thocht it agreeable to ressoun and thairfore have grantit and be the tenour heirof grantis license and liberte to the said Mr. Robert to set the said vicarag in tak and assedatioun according to the lawis of the countrei provyding that the rentall thair of quhilk is 33 lib. 6s. 8d. money be not diminishit.†

Many notices of Mr. Robert Pont occur in the Record of the parish of St. Cuthbert's. See Hist. of the West Kirk, 18mo. Edin., 1829, pp. 22-41.

* The first notice of this Manse occurs in the Session Records of St. Cuthbert's in October, 1593. At that time "Mr. Robert Pont proponit to ye elderis, deacones and honest men of ye parochin assembled the act of ye general Assemblie haldin at Dundie, &c., gif they wald buld a manse presentlie upone the kirk land to him: Quha ansuert that they war not abill to do ye samye presentlie becaus of ye wark of ane uther kirk, and thairfoir war content that the said Mr. Ro. Pont suld buld ane manse upon his awin expences, and he, his airs and assigneis, to enjoye ye libertie of said act ay and untill the samye war redemit fra him and his foirsaid be ye parochiniers of this kirk." A stone which was preserved when this manse was taken down bears the following inscription:

Religioni et Posteris,
In Ministerio,
S.R.P. G.A. 1594.

(Hist. of the Church and Parish of St. Cuthbert, Edin., 1829, pp. 32, 3.)

† 1599, Dec. 13. Visitation of the West Kirk be Mr. Henry Blyth Mod^r of the Presbtry of Edinburgh, Mr. Robert Bruce, &c.:

Appoints, with consent of Mr. Robert Pont and the rest of the parochiniers quha compleins of the said Mr. Robert for the vicarage, hes decernit Mr. Charles Lumisden and Richard Thomson to decern the mater (Record of the parish of St. Cuthbert's.)

To this miscellaneous collection may be added the following extracts from the Records of the City of Edinburgh :

1586, May 7. Mr. Robert Pont infest by the gude town in an annualrent of 160 pounds Scots on the common milns on the water of Leith *pro omnibus sue vite diebus*. (Folio Protocols of A. Guthrie, Town Clerk.)

June 3. Mr. Robert Pont infest in a tenement near the Castlehill on the resignation of "Decanns de Dunbar" (Ibid.)

"Vltimo Junij 1587," the Town Council of Edinburgh passed an act granting to the minister of Wemyss twenty pounds out of the rent of Trinity College, "provyding þ^t Mr. R^t Pont, quha hes þe haill rent of þe provistrie Induring his lyf tym of annuell furth of þe commoun mylnis for þe sam allow or pay þe vther twentie pundis furth of his said annuell rent þ^{of}."* (Record of Town Council of Edin. VIII. 94.)

A few farther notices from the Protocols will be found in Note I. to this life.

The following statements of Pont's stipend occur in the Books of Assignment :

"St. Cuthberts. Mr. Robert Pont and William Harlay ministers. The stipend of the said William £100 with the kirkland of St. Cuthberts Kirk, the haill vicarage of St. Cuthbert's newlie providit £33 6s. 8d. and out of the kirk of Halirudhous be the taxmen or parochiners of St. Cuthberts Kirk £66 13s. 4d. The stipend of the said Mr. Robert £77. 18s. 8d.

"1576-90. In substance the same.

"1591. Mr. Robert Pont minister his stipend out of the thirds of Halyrudhous, to be paid by the laird of Braid 1 chalder quheit, 24 bolls beer and 13 lib. money, and by the Commendator of Halyrudehouse, &c., £266. 13s. 4d." (Hist. of the Church, &c., of St. Cuthbert's, pp. 53, 4.)

NOTE I.—PONT'S LAST YEARS, DEATH, CHARACTER AND POSTERITY. (Page 199.)

THE health of Mr. Robert Pont for several years before his death appears to have been in a very infirm condition. He presented a supplication to the General Assembly, Nov. 15, 1602, "desyrand in respect of his gryt adge and

* Nicol Dalgleish was the minister proposed for Wemyss. A similar act had been made, Aug. 20, 1586, in favour of John Tullois minister of that place (Ibid. f. 38.)

lang travell taken in ye Kirk of God and continewall seiknes, quhilk followeth adge, that he mycht be relived fra ye ordinar burden of teaching, upon condition yat he sall substitut ane in his place, quheras throu infirmitie he suld not be able to teach himselfe; The assemblie thinks his sute reasoonable and thairfor condiscendit unto the same." (Buik of Univ. Kirk.) It has not been ascertained that he procured an assistant. An additional minister had been appointed to the West Kirk in 1600, and no other is mentioned till 1607,—nearly a year after the deaths of Pont and his colleague William Aird (Hist. of St. Cuthbert's Kirk, pp. 37, 41.) Pont's name appears for the last time in the Sederunt of the Session, April 19, 1606, and he died on the 8th of May. The following sketch of his character is given by one, who, if not a contemporary, had at least ample means of information :

DE ROBERTO PONTANO.

Robertus Pontanus, Caledonius Britannus ex Culrosia, aut non procul ab ea urbe, maritima antiquitate celeberrima, honestis parentibus ortus, et ibidem ad juventutem in bonis literis et piis moribus egregie institutus; postea propter magnam ingenij spem Andreapolim ad altiora studia missus, inter suos quasi supremus emersit; ita charismata meliora æmulatus ut comilitones suos omnes haberet quidem amatores necnon et admiratores, superiorem aut etiam parem neminem et primum philosophicis deinde Theologicis tam strenuam nauavit operam et in utrisq; tam insignem acquisiuit cognitionem, vt per gradus paulatim ascendens, tandem Theologici magisterij supremam adeptus fuerit lauream omnesq; literati viri titulos merito ei solennitate quadam oblatos. erat siquidem ingenio tam felici, tam tenaci memoria, vt quocunq; se daret (et quibus disciplinis honestis se non dedit?) omnia perciperet et comprehenderet, imo in singulis adeo excelleret, vt doctissimos quosq; in qualibet artium professione æquaret. Vir vere magnificus, quippe qui et cum omnibus pacem habere studuit; in iis qui mundi sunt mire simplex et innocens; pietate, vitæ sanctimonia, humanitate, benignitate erga omnes, ac imprimis incomparabilis modestiæ exemplo, non modo cæteris verum etiam seipso superior; ingenio subtilis, iudicio solidus, eloquio scholasticus; accessit ad has naturæ dotes industria et assiduum pene per totam vitam ingenij memoriæq; exercitium et non indiligens cultura, vt suo seculo vix cuiquam secundus habitus sit. Erat sacrarum literarū explicator solertissimus et fidelissimus, veritatis cælestis patronus inprimis strenuus, optimarum disciplinarum cum instaurator tum confirmator. poesin acurate calluit; rhetoricam omnemq; politiozem doctrinam, omnes artes liberales, physicen et mathesin non a rinulis sordidis sed ex purissimis fortibus, h. e. Græcis et Latinis authoribus primis, hausit. Astronomus

longe notissimus et clarissimus; arithmeticus et Geometra insignis, ut ex scriptis liquet; Græcas et Hebræas literas apprime calluit; in Jurisprudencia quemadmodum et in Theologia præeminuit, unde in suprema Curia diu senatoris munus obibat; ob singularem pietatem, doctrinam, prudentiamq; per Cathanesiam orchadam et Zetlandiæ insulas minister prouincialis seu Commissionarius in ecclesiarum plantatione (aliter superintendens) est electus; erat etiam Collegio SS. Trinitatis præfectus, et ecclesiæ S. Cuthberti præpositus, et. Hic deniq; omnium optimarum scientiarum panoplia vbertim instructus, cuncta etiam dignitatum clarissima fastigia amore studij salutaris semper neglexit. scriptis quidem plurima mandauit, verum longe plura scripsisset nisi multum vitæ actiæ, ad quam in ecclesiarum reformatione vocatus erat, se accomodasset. Quæ de ejus scriptis tam versu quam soluta oratione, cum vernaculo tum latino sermone vidimus, hæc sunt præcipua,—de vnione Britanniae,—de periodis temporum,—de anno Iubileo,—aureum seculum, lib. 7.—Pindari olympiorum Traductionem,—de carminum ratione et sectione, Pindaro aliisq; poetis lyricis præsertim Græcis familiari,—lexicon trilinguæ,—homelias in S. Paginam,—et alia permulta quæ in Catalogo nostro Script: habentur. Tandem anno gratiæ 1606 placide et pie senio confectus in domino obdormiuit ætatis suæ an. 82. et die 8 Maij. tumulatus est quinquaginta passibus ab Edinburgo ad meridionale S. Cuthberti ecclesiæ latus vbi Elogiū ab se compositum in quadrato sepulchrali lapide spectatur.

“ILLE EGO ROBERT⁹ PONTA-
N⁹ IN HOC PROPE SACRO-
CHRISTI QUI FUERĀ PASTOR
GREGIS AUSPICE CHRISTO-
ÆTERNÆ HIC RECUBANS EX-
SPECTO RESURGERE VITÆ.

OBIIT DIË ÆT 81 MEN-
SIS 8 MAII, A. D. 1606.”*

Claruit sub Jacobo primo, ejus maxime, vt et aliorum literatorum, insigni Mecenatē et patrono (Buchananus de Scriptoribus Scotis illustribus, Adv. Libr. W. 6. 34. ¶ 65.)

The following epitaph on Pont is preserved among Sir Robert Sibbald's MSS.:

* This inscription has been altered so as to represent as nearly as possible the original. See Hist. of West Kirk, p. 38.

In pientissimi ac doctissimi senis obitum, Roberti Pontani pastoris Edinburgeni, Epitaphium

Quæ te stante stetit sacrorum Curia tecum
Heu! Pontane, cadit, teque jacente jacet.

THO. VOLUSENUS.

(Sibbaldi Elogia, Adv. Lib. p. 55.)

Pont was interred, it is said, in the church, but his tomb-stone was subsequently removed to the situation which it now occupies in the burying ground. Soon after his death it became the subject of a dispute between his widow and the Kirk Session as appears from the following extracts from the record of that court:

1606, July 17. Anent the erecting of ane stane at the heid of the defunct, viz., Mr. Robert Pont, all agreit that the former stane suld not be altered, neither any thing eikit nor the will of the deid wes.

1607, April 2. The qth day the sessioun will neither eik nor pair nor the former act is anent the stane that Mr. Robert Pont ordanit himself.

May 14. The sessioun ordanes the stane that Margaret Smyth relict of umqth Mr. Robert Pont has put sal be presentlie tane down after the sessioun ryses.

There are many similar minutes.

When the old West Church was taken down a heart preserved in lead and filled with perfumes was discovered below the elders' seat. It was supposed to be the heart of Mr. Robert Pont, (Hist. of the West Kirk, pp. 38, 9, 148, *note*,) but many considerations conspire to render this very improbable.

Pont was several times married. Catherine Masterton, a daughter of Masterton of Grange is mentioned as his wife at an early period (Crichton's Life of Mr. John Blackader, 2d edit. p. 15. *Pauca quædam de M. Blackaderi vita, &c.*, MS. Adv. Lib. Rob. III. 57.) That this lady was his first wife seems highly probable, because their great-grandson, Mr. John Blackader, was born in 1615 (Crichton *ut supra*.) Of this marriage one daughter, Helen Pont, married to Adam Blackader of Blairhall, is mentioned (*Ibid.*); and although no evidence has been discovered on the subject, a comparison of dates leads to the supposition that two sons, Zachary and Timothy, both well known in history, were descended of the same marriage. Catherine Masterton died in or before 1587, for in that year Pont and Sarah Denholm appear to have executed an antenuptial contract of marriage, whereby he disposed a tenement on the Castlehill in favour of the said Sarah Denholm "*sponsæ futura*" in liferent, and of himself, his heirs and assignees in fee, whereupon Sarah Denholm and he were infeft according to their respective interests on the 1st of July, 1587

(Protocols *penes* City Clerks of Edin.) In 1592 he seems to have executed an heritable Bond of provision in favour of his two daughters Catherine and Beatrix,* by which he bound himself, his heirs, &c., to pay to each of them an annualrent of 40 merks, and in security of the payment disposed to them that tenement reserving his own liferent, but redeemable and under reversion by himself on paying a rose-noble, and by his heirs on payment of 400 merks to each of his daughters: in virtue of this bond of provision they were infeft in the tenement, 4 Dec., 1592 (Ibid.) In the Instrument of sasine on this Bond no allusion is made to Sarah Denholm's liferent,—a circumstance which might lead to the supposition that she was previously dead, but this is not a strictly legitimate inference, because (1.) the previous burdens created on heritable property do not necessarily appear in Instruments of sasine following on posterior rights; and (2.) because although she were then alive, the mere omission of any notice of her liferent as a previous burden on the property would not on the one hand invalidate the deed to the daughters, nor on the other affect her right to the liferent, whether she survived or predeceased her husband, on whose decease, however, according to the terms of the last-mentioned deed, the annuity to the daughters was declared to commence. Yet, although this omission would not in law prove that she was dead when the Infestment was passed, it seems improbable that, if she had been alive at that date, so prominent a claim upon the property as her liferent should not have been recognised in the sasine. If this hypothesis be correct, Pont must have married his third wife in less than two years afterwards, for he had a son, James, baptized on Sunday the 18th of May, 1595 (Regist. of Births, &c., in the City of Edin.) Nisbet (Heraldry, last ed., I. 258) mentions a James Pont who made collections in heraldry, which contained the arms of Pont of Shyresmill, and who died at the house of Seytoun after 1624;—whether this is the person whose baptism is here recorded the reader must judge. Robert Pont's last (third?) wife, Margaret Smith, is frequently mentioned in the earlier part of this Note.

Respecting Timothy Pont, the eldest son, and his topographical works, it is unnecessary to say any thing here. The editor has much pleasure in mentioning, that his *Topography of Cunningham* is at present in preparation as a contribution to the Maitland Club by Mr. James Dobie of Beith, who has collected the few remaining notices of its author with the design of incorporating them in his illustrations to that volume. Zachary Pont, the second son, obtained by a letter under the Privy Seal, Oct. 28, 1590, “full liberty, freedom and

* Catherine may be conjectured to have been a daughter of the first marriage, but it is altogether uncertain whether Beatrix was the issue of the first or second.

licence to exercise by himself, his servants and deputies the office of chief printer within this realm and to imprint all kind of books set forth in any kind of tongue or language not forbidden by the statutes and laws of his Majesty's realm," &c., during his lifetime (Lee's Memor. for Bible Societies, p. 47.) He married Margaret Knox, a daughter of the Reformer by his second wife, and is mentioned as minister of Boar in Caithness in 1605. Several notices of him will be found in M'Crie's Life of Knox, 5th edit. II. 356.

NOTE K.—THE WRITINGS OF MR. ROBERT PONT. (Page 201.)

BESIDES the works noticed by Wodrow, Pont wrote some others which Buchanan mentions that he had seen (*supra*, Note I.) but of which no trace can now be found. To these must be added his translation of the Helvetic Confession, his contributions to the Second Book of Discipline and to Bas-sandyn's edition of the Bible 1579 (*supra*, pp. 167, 173, 198,)—his commendatory verses on Archbishop Adamson's Catechism, 1581, and the Schediasmata of Sir Hadrian Damman, Edin., 1590, (M'Crie's Melville, 2d edit., I. 464, II. 484,) and his lines on Robert Rollock (Sibbaldi Elogia. Adv. Libr. p. 66.) His papers referring more immediately to the affairs of the Church are noticed in the text. In one of the bibliographical MSS. in the Advocates' Library, the following entry appears:

"R. P. an Roberti Pontani?

parvulus catechismus quo examinari possunt juniores qui ad sacram cœnam admittuntur, carm. iambico. 8vo. Andreapoli 1573." (Sibbaldi Bibliotheca, App. p. 24.)

LIFE OF ARCHBISHOP BOYD.

NOTE A.—EARLY NOTICES OF BOYD. (Page 206.)

MR. Boyd was the second son of Adam Boyd of Pinkil, brother of Lord Boyd, by Helen Kennedy, daughter of David Earl of Cassilis (Robertson's Ayrsh. Fam. III. 307—11, Wodrow's Biog. Collections, II. 5.) It is most probable that he was educated at the University of Glasgow, but the Records for that period

are excessively defective, and his name does not appear. The fact of his having afterwards studied under Cujacius is noticed by Wodrow. M^cUre mentions that "he was, when a very young man, with others of his kindred in the Queen's army, at the field of Langside, for which he was obliged to take a remission," which that author says he had seen. "After that," he continues, "he entered on the ministry and was settled at Kirk-oswald in Carrick" (M^cUre's Hist. of Glasgow, edit. 1830, p. 31.) This settlement, however, appears to refer to a later period of his life, when he accepted the charge of a particular flock in compliance with the desire of the General Assembly (see *supra*, pp. 220-3.) No further notice has been discovered of Mr. Boyd till the period at which he became Archbishop of Glasgow. The following account of the circumstances which led to that appointment is given by James Melville:

"This Mr. James Boid was a gentleman of the Lord Boids kin, a guid man and lower of larning and lerned men, inducit be his cheiff to tak the Bischopric, the gift wharof the said Lord Boid, being a grait counsallour to the Regent, had purchassit for his commoditie, bot within a yeir or twa, when he fand nocht his Bischope plyable to his purpose, he causit his sone the Maister of Boid, tak the castell and intromeat with all therin, keipe it and gather vpe the rents of the Bischoprik to intertein the saming, and this was done impune, nochtwithstanding the Regents streit justice, because the Tulchain causit nocht the kow giff milk aneuche to my Lord, Sa that I haiff hard the honest gentle man rew whill sear that ever he tuk on that Bischoprie efter he haid vnderstud be Mr. Andro [Meluill] of the onlawfulness therof, and fand sic a curss vpon it." (Diary p. 37.) For an account of the state of the Diocese of Glasgow previous to the period of Boyd's election, the reader is referred to the Contribution of Mr. Andrew Macgeorge at present in preparation for the Maitland Club,—Miscellaneous Papers relative to Transactions in the reigns of Mary and James VI.—pp. 23-39. On the 19th of September, 1570, "ane decreit of the Lordes of counsaile and feffionn decerning the said bishoprik to vaik be reffoun of barratrie" had been pronounced, and sentence of forfeiture had also been passed against Archbishop Betoun. (Reg. Present Benef.) The *Congé* for the election of his successor is dated at Holyroodhouse, 30th Sept., 1573 (Ibid.) and the order for his consecration on the 3rd of November (Ibid.) On the 9th a writ was issued confirming Boyd's election and commanding "the lordes of feffionn to grāt lreȝ to caus him be āfrit of the temporalitie" of the Archbishoprick "fra the feist of Witfounday laft bipaft" (Ibid.) Keith is therefore wrong in giving the date 1572 (Cat. Scot. Bish. Russel's edit. 261.)

NOTE B.—INFLUENCE OF THE BOYDS AT GLASGOW. (Page 211.)

LORD Boyd and his relations, backed by the influence of the regent, had at this time the city of Glasgow completely under their control. It appears from the passage of James Melville's Diary, quoted in Note A., that the Archbishop was on many occasions obliged to yield a very unwilling consent to Lord Boyd's desires. This may be supposed to have been the case in regard to his interference with the election of the magistrates of Glasgow. The power of nominating these functionaries had unquestionably belonged to the Archbishop in Popish times; it had been conferred on them at an early period and was confirmed by a royal charter in 1476 (Gibson's Glasgow, pp. 74, 5.) But on the flight of Betoun to France before the Reformation, the citizens themselves elected their provost and baillies who again nominated the Councillors (Ibid. 82,) and this system seems to have continued till 1573, when the right was claimed by Archbishop Boyd. On the 5th of October 1574, a letter subscribed by him, was presented to the Council nominating Lord Boyd provost for the following year "and *siclyk yeirlye in all tymis cuming heireftir followyng*, in cais it plesse him to accept þe samyn on him, *during all the dayis of oure lyfetye*" (Burgh Records, presented by J. Smith, Ygst. Esq. to the Maitland Club, p. 23.) Lord Boyd was accordingly admitted provost and in the following year, he again "acceptit the office" in virtue of the same deed: in the latter year leets were also presented to the Archbishop, who selected two persons as the baillies (Ibid. 42.) Two years afterwards the Archbishop was compelled to submit to a still more slavish recognition of Lord Boyd's power. On the 1st of October, 1577, that nobleman presented to the Council "ane writting maid to him be James Archbishop of Glasgw concerning the prouestrie thairof" which contained the following extraordinary passages. After alluding to the grant formerly made of the provostship during the lifetime of the Archbishop the deed thus proceeds: "no'w'standing þe said Lorde, for syndry causais mowing him thairto hes demittit the said office in o'r hand for þis 3eir, quhairby we may noiāt sic ane persoun as we think best at this nixt michaelmes court and siclyke in tyme cuming 3eirly to be puest of the said cietie: Provyding alwayis *that we sall nominat na prouest this yeir nor in ony tyme cuming by the said Lordis avyse and consent, during all the dayis of his lyfetye*, nor 3it sall retene ony prouest that sall be nominat be us to þe said cietie langer nor ane 3eir bot sall change þe puest at þe 3e^{tes} end at the desyre and plesor of the said Lorde; and gif we wald do þe contrare (as God forbid we suld) we, be þe teno^r heirof, ordanis and comādis þe baillies and counsall of the said cietie þat þai pas nor gif na comissioun to na persoun nor personis to þe office of puestrie of the said cietie *by the consent and advise of*

the said Lorde haid thairto: And als we be þe tenor heirof grantis and consentis that it sall be lesum to the said Lorde to entir to the said office of prouestrie of Glasgow agane quhenewer it plesis him at the tyme of Michaelmes, quhen bailles and prouesteis are electit siclyk and als frelie as he had neuer demittit þe samyn in our handis" &c. In the Record there immediately follows a presentation to the provostship for one year to Thomas Crawford of Jordanhill, which the old bailles and council, with consent of Lord Boyd, received "and ordanit and grantit thair comissionn to be maid and gevin to þe said Thomas for pat effect" (Ibid, 79.) But before the end of that year Morton the patron of this imperious baron resigned the regency and Lord Boyd's power received a blow, from which, although he afterwards regained some of his honours, it does not seem to have recovered in Glasgow. In September, 1578, the Archbishop, without any apparent consent of his chief, nominated Robert, Earl of Lennox provost, but Crawford protested "þat þe auld libertie and priuiledge of the town be obserwit and keptit,"—a circumstance exhibiting a degree of jealousy which the most exorbitant powers of Lord Boyd had failed to call forth. In October, 1580, Esme, Earl of Lennox was presented by the Archbishop and "acceptit glaidlie wth reuerence" by the old baillies and council, and a short time afterwards (Oct. 19,) an Act of Privy Council declaring that the baillies had dimitted their office for that year at the King's request, "but preiudice of Election of þe magistratis in tymis cuming," and a letter from Archbishop Boyd nominating three others, were presented, both which writings the council received and acquiesced in (Ibid, 101, 131, 135.) No further notice of the magistrates appears during the Archbishop's life. For many years after his death the right of nomination remained very undetermined. It was exercised by the Commendator of Blantyre, by the Duke of Lennox, and by the Archbishops in 1606 and 1637 (Gibson's Glasgow, 89, 90. Extracts from the Town Council Records printed in the Glasgow Courier Newspaper.) In September, 1641, the King granted to James Duke of Lennox the temporality of the Archbishoprick, including the right of choosing the provost out of a leet of three persons presented to him by the old provost, baillies and Council (Chalmers's Caled. III. 634, Acts Parl. Scot. V. 498, 597.) There is extant among the family papers of Sir John Maxwell of Polloc the scroll of a petition to the Protector's Council in March, 1657, from Esme Duke of Lennox, his tutrix the Duchess of Lennox, and Sir George Maxwell of Netherpolloc their Commissioner, representing that notwithstanding this right and notwithstanding that the Duke had been "in constant use to nominat the proveist of the said burch, Nevertheless trew it is that vpon . . . day of March last past That the said Sir Georg being present at the castle of Glasgow whether Commissioners from the Councell of the burgh uses to attend the Duke or his Commissioner ther non-

ination of the proveist, being fully instructed as Comissioner foirsaid to hav nominat the said proveist, James Campbell with certain vthers members of the Councell of the said burgh and pretending themselves to be commissioners from the said Counsell did refuse to present the said list vnto the said Sir georg as Comissioner foirsaid but immediatlie therafter the said councell of the burch foirsaid did proceed to vott and elect Johne Anderson of Donhill Proveist to the manifest contempt of the Duk of Lenox his right foirsaid, after that the said Sir georg as comissioner foirsaid had taken ane instrument of the said refuseall in the handes of Wm. Yair Clerk of the burgh protesteing for the nullitie of anie election to be maid withowt his nomination"—and therefore praying their Lordships "to Declair the said election voyd & null for the reason foirsaid and to giv ordowr for an new legall election to be maid by the said Sir georg as Comissioner foirsaid and the rather seing the said Town Clerk heth refused to giv to the said Sir georg an extract of the instrument foirsaid." What followed upon this petition the editor has not ascertained: it is known, however, that in September following the Protector ordered that the election of the magistrates should be deferred (Gibson's Glasgow, p. 99.) It is unnecessary to extend our inquiries farther: for the best account of these elections from the period of the Reformation to that of the Revolution the reader is referred to the work just quoted,—Gibson's History of Glasgow, pp. 82—101.

NOTE C.—BOYD'S CONNECTION WITH THE UNIVERSITY OF GLASGOW. (Page 226.)

THE state of the University of Glasgow for several years both before and after the Reformation was in every respect deplorable. The reader is probably already acquainted with it through Dr. M'Crie's Life of Melville: striking as is the picture there given, the editor's researches have only tended to convince him of its truth. Having thus referred to Dr. M'Crie's work he will not swell a volume already become too large by extracting from it. He will merely insert a few papers which have escaped the wreck of the University's Records for that period. These, although necessarily somewhat of a miscellaneous nature, all refer more or less to Boyd, and may be considered not uninteresting:

1. *The rentall of the auld fundatioun of the College of Glasgow, anno 1575.*

In the first, of the troyn of glafgow 3eirlye xx libs.

Item four aiker of land lyand on pe dowhill

Item of pe Paidagog or Colledge 3aird on pe fowth fyde of pe ala by the

awld college ʒaird þat lȳis betwix it and the laich hall þ^t is referwit for herbis
to þe howſe wⁱⁿ þe college viij libs.
Item of þe College ʒaird þ^t lȳis on þe north fyde of þe ala occupyet be Jhone
lowrie cowpier v libs. vjſ. viijd.
Item of Arthurleis howſe for ane foir laich ſellar and þe weſtmaift heich loſt
þareof ſett of lait to Ofwald moreſon xlf.
Item the vther fore ſellar for xxſ.
Item ane of þe chalmers þ^rof to Tho^{as}. finie for xxvjſ. viijd.
Item þe vther chalmer w^t þe lytle bak ʒaird þ^rof xlf.
Item þe wicarage of Colmanell ſett be Mr. Jhone dauidſon to Mr. Gilbert
keñedie in þe lxx ʒeir of God, the college relieving him of þe wicar þeſonar
and thrids for xliij libs. xijſ. iijjd.
Item of þe gleib land or kirkland of þe ſamyn ſett in ſew alſo be þe ſaid Mr.
Jhone to þe ſaid Mr. Gilbert xlf.
Item be Robert Allaſon in the town of Arthurlie liijſ. iijjd.
Item Watt ſpewl for ij m̄k land In the lord roſs fyde of Arthurlie vñks.
Item Charles pollok for viijſ land and ane plaks worth vjſ. viijd.
Item Jhone pollok for viijſ land & ane plaks worth vjſ. viijd.
Item Beſſie muireheid Ofſe knelands wyfe for þe xviijſ land of bradiſholme occu-
pet be Jhone Brōn ſleſcho^r viijſ.

The annuells in Glaſgow of þe ſaid fundatioun:

In primis ane Tenement forenēt William donaldſons in þe rattonray q^{lk}. was
vmq^l Nikie knox and now William reids payis ʒeirle iijjſ.
Item ane tenemēt in þe drygait at the Wyne heid of Jhone ſpewls vſ.
Item þe tenemēt of vmq^l Mr. Adame colquhoñ and now Agnes conyngbams xld.
Item þe tenemēt of vmq^l George cleynnie now Margaret ſleymings his wyf
xijjſ. iijjd.
Item þe Tenemēt of vmq^l Dauid millar now apperteinīg to þe laird of Bar-
dowie iijjſ.
Item þe Tenemēt apperteinīg to George elphinfōn Glaſin wricht fornēt þe
college ijſ.
Item þe Tenemēt of vmq^l Arthure gilcreſon fornēt þe college vſ.
Item þe Tenemēt of Gawin grahame at þe Grāmar ſcuil wyne xſ.
Item þe tennent [Tenement] þat Barbara ſmailom duells in xvſ.
Item þe tenement apperteyning to Allan Wrycht xſ.
Item ane Kil perteyning to Jhone and Dauid falcounars viijjſ.
Item Andro ſtruthers tenemēt fornēt Mungo Mortōns xſ.
Item the tenemēt apperteinīg ſumtyme to William Lowdian fornēt Andro
heriots vſ.

| | |
|--|-------------|
| Item þe tenemēt of Meggie fellar in þe Gallougait | vjſ. viijſ. |
| Item þe tenement of Megie ranking wmq ^{ll} . Jhone muir þe baillies wyfe | ijſ. |
| Item þe tenement appertaining to Mathow wilſōn at þe Cuinzej nuik fornēt
þe mercat croce | vjſ. |
| Item þe tenemēt þat is occupyet be Jhone rid and Jonet park his wyfe in Jonet
mſchells bakefyde | iiſſ. |
| Item ane tenemēt in vmq ^{ll} . Mr. Jhone hall now Mathow wilſōns bakfyd occu-
peit be Michael Anderſōn | iiſſ. |
| The tenemēt of vmq ^{ll} . Robert forthik | viiſſ. |
| Item the tenemēt occupieit be Archie crawfurd lyand betwix William halls and
Andro mures now David halls and William tailſo ^{rs} | iiſſ. |
| Item þe tenemēt of Jhone hawſtōn baxſter þ ^t . David Landles duells in | xf. |
| Item þe tenemēt of vmq ^{ll} . Richie rofs fallin dōn in þe brig gait | iiiſſ. |
| Item of ane howſe þ ^t . is fallin dōn fornēt þe college þ ^t . was of awld callit þe
Regēts ānuel | viiſſ. |

The Annuels appertaining to þe dean of facultye:

| | |
|---|--------|
| IN PRIMIS of þe Walkar's ȝaird lyand on þe north ſyde of the gray freirs
viiſſ. | |
| Item þe ānuel of þe fore place at þe wyne heid þ ^t . lȳis to þe halye bluid altar
occupyet be S ^r . Richard harbertſōn | viiſſ. |
| Item of ane barne and twa ruids land apperteinīg vmq ^{ll} to S ^r . Martin reid in
þe ſtokwall | vf. |
| Item of þe ȝaird þ ^t . apperteinit to Jhone panter lyand on þe north ſyde of þe
biſchops ȝaird | vf. |

Item thare is ane lytle ȝaird apperteinīg to þe beddell occupyet be Barbara
Smallom þat wont of awld to pay of maill xf.

Item as to St. Thomas kirk and þe kirk ȝaird, þe rychts þ^rof is cōteinit in þe
College buke callit *liber cōclusionū*

Sum of Silver in this Rental 100 libs. 12ſ. 4d.

(Ann. Coll. Fac. Art. pp. 56, 7. Records, No. II.)

II. *Catalogus librorum cōmunis Bibliothecæ Collegii Glasguensis* 1578.

Biblia ſacra Interprete Caſtalionē, magno
folio, Excufa Baſilæ 1556 per Joannem Oporinū.
Ex dono ANDRÆ HAYI D. RECTORIS.

(Then follow the works preſented by George Buchanan, which are ſet down in
Irving's Memoir of him (pp. 393, 4.) and need not, therefore, be inſerted
here.)

- Nu⁹ vol^m. 6 Lyrani opera sex voluminib⁹ Lugduni 1545.
 7 Erasmi annotationes in nouū test.
 8 P. Martyr in Eucharistiam.
 9 Biblia græcè, venetiis 1518.
 10 Herma Laetmatius de instaurand. rel. Basil. 1549.
 11 Burchardus vormacienfis, Coloniae 1548.
 12 Philip. Melanchthonis Corpus doctrin. Christianæ, Lipsiæ 1561.
 13 Irenæus aduersus hæreses, Basil. 1548.
 14 Nicephorus Callistus, Basil. Oporin⁹ 1555.
 15 Iosephi historia, Basil. 1548.
 16 Alberti metropolis, Basileæ.
 17 Pagnini Isagoge ad sacras Literas. Lugduni 1536.
 18 Rituū ecclesiasticoꝝ libri tres, Venetiis 1556.
 19 Epiphanius. Basileæ vinter⁹ 1545.
 20 Bernardi opera. Paris. 1551.
 21 P. Lombardi sniaꝝ Paris. 1550.
 22 Procopii pentateuch. Tvguri 1555.
 23 Historiæ ecclesiæ tripartitæ tom. 2⁹ Antuerpiæ.
 28 Chrysostomi opeꝝ quinq⁵ volumina. Basil. heruag. 1539.
 32 Hyeronimi opeꝝ quatuor volumina.
 33 Cum indice quinto volum. Paris. 1546.
 34 Basilii opera latine. Paris. 1547.
 35 Clementis opera. Paris. 1544.
 36 Concordantiæ biblioꝝ, Basil. heruag. 1549.
 37 Hylarii opera. Basil. 1550.
 38 Dionysius Areopagita Coloniae 1556.
 40 Origenis opeꝝ volumina duo, Basil 1545.
 41 Tertulliani opera, Basil. 1550.
 44 Melanchthonis chronicoꝝ vol^a tria, Basil.
 45 Torrensis de auctoritate Pontific. florentiæ.
 46 Cypriani Opera, Basil. heruag. 1540.
 47 Concilioꝝ gūal. tom. primus, Coloniae Agrippinæ 1551.
 48 Alfonso contra hæretic.

Decimo Junii 1581
 Jacobus Boydæus
 Episcopus Glas-
 guæ hos omnes
 Collegio Glasgⁱ tes-
 tamento reliquit.

Qui sequuntur testamento pariter ab eodem legati at nondum per Executores redditi: Steuchus de perenni phia [philosophia]. Opera Pici Mirandulæ • Angel⁹ Politianus • Geographia Nigri • L. Vinis opera.

PUBLICIS SUMPTIBUS ACADEMIÆ EMPTI LIB.

Augustini opera Octo voluminib. folio. Paris. 1544.

Ciceronis opera duobus voluminib. fol. magno Paris. Rob.

Stephan⁹

Aristotelis opera latinè fol. Basileæ

The hail actes of Parliament

The bible of Govan and College

Politica Aristotelis cum commentar. fol. Paris.—EMPTI sunt

per Quæstorem 1577.*

Ambrosii opera folio.

Gregorii Romani Epi opera duobus voluminib.

} EX DONO VIRI
BONI THOMÆ
JACKÆI.

MAISTER PETIR BLAKBURNE

ane of the Regentis of the college at his deſtting to Abirdein
left and gave to ye college as followis.

Ane new gñall Cart ſtentit vpon buirdes, ſett out be Gerardus Jode Antuerpiæ 1575.

Tabulæ veſſalii; *with this inſcription*, Anatomes totius ære inſculpta delineatio • fol. magno Paris. CIO IOLXV.

Strobæus Leodegarius a quercu Coñent. in 3 De Orat. Paris. 1561.

Ammonius in Porphy. Categ. latinè. Niphus in Elenchos. franciſc Buran in Priora Analyt. Et Niph⁹ in Topica et Poſteriora. (Jura, Leges &c.—Records No. VII pp. 9, 10.)

} EX DONO
PETRI BLAK-
BURNI ANTE
DISCESSUM
8. NOUEMB.
1582.

The following paper besides giving a curious view of the state of the Uni-

* Another MS. says "Empti sunt opera Thomæ Jackæi Quæstoris Academiæ 1577" (Record, No. II.) and has, besides the works here mentioned, *Historia Scotorum Manuscripta, authore G. Buchanano*. Jack had been master of the Grammar School of Glasgow, and was then minister of Eastwood. He is well known as the author of the *Onomasticon Poeticum* (M'Crie's Melville, 2d Edit. II. 478, 9.)

versity, derives considerable interest from the signatures attached to it, of which fac-similes have been prepared. Similar regulations are set down in the statutes entitled "Jura, Leges, Instituta," (Record No. VII.) but the order is different and the latter is in some cases more full. The more important variations are added as footnotes.

III. [LEGES DE MORIBUS ET PIETATE]

Physicæ auditores non solum ijs quæ quarto anno sed etiam quæ superiori-
bus prælecta sunt diligenter repetendis operam impendunto: Ante Idus Augusti
nulla prælectionum intermissio conceditor.

Nemo ascriptus in Album Academiae flagitiosorum aut perditorum ciuium
aut aliorum quorumcunq3 qui vitam sceleratam, prophanam aut turpem degunt
societate vtatur.

Omnes qui gradu Magisterij donati sunt certo alicuj studiorum generi ex
Gymnasiarchæ et præceptorum sententia sese addicant: Qui secus fecerit in Gym-
nasium ne admittitor, aut receptus etiam eijsitor.

Qui Magisterij titulo ornatos instituendos suscipiēt de assidua eorum in
audiendis prælectionibus, diligentia & studiorum profectu Gymnasiarcham &
ceteros collegas certiores reddunto, & ne vllus socordiae locus relinquatur, Gym-
nasiarcha singulis saltem mensibus progressuū rationem, quæstiunculis quibus-
dam, seripione aut classici auctoris interpretatione, intelligito.

Omnes laurea donati publicis Theologiæ prælectionibus interfint. Omnes
latinè loquūtor.

Qui theologiæ operam nauant decimo quarto quoq3 die publice theses de-
fendant aut oppugnent, præsentibus gymnasiarcha et præceptoribus.

Qui alterius nomen famoso libello violarit, ignominiosus ipse tota vniuersi-
tate exterminator.

Qui nondum magisterij gradum attigerunt præceptorum suorum prælec-
tiones omnes audiunto.

Nemo laurea magisterij ornatus discipulo familiariter vtitor. Nullus disci-
pulus cum iis familiarem consuetudinem habere ausus esto.

Gymnasium nemo nisi petita a gymnasiarcha et præceptorib9 [et] impe-
trata venia exito.

Culinam ingredi aut isthic manere omnes scholastica honestate indignū existi-
manto: qui secus fecerint seuerè castigantor.

Nemo cauponam aut tabernas ingrediatur.

Nemo ludat reticulari pila aut spheristerium vllō modo ingrediatur.

Nemo nisi facultate omnibus concessa ludat & ne tum quidem vltra quartam
horam in agris maneat, sed vna cum discipulis in gymnasium reuertatur.

Publicis precibus & concionibus omnibus tam in inferiori quam superiori templo omnes cum discipulis interfint.

Nemo gladium, pugionem, tormenta bellica, aut aliud quoduis armorum aut telorum genus gestet aut apud se habeat; sed apud præfectum omnia deponat.*

Quisquis in legem ullam peccauerit primum a gymnasiarcha & præceptoribus privatim admonetur; nisi resipuerit ab omnibus Academiæ moderatoribus publice castigatur & acriter obiurgatur; postremo, si contumax fuerit, Academia expellitur.

Discipuli omnes† remota mensa surgunt & stantes gratiarum actionem & psalmi decantationē expectant.

Ja: glasgow cancellarius
Abbas Rector.
M. David Forbes decanus facultatis
medicæ

Thos smeltoun præf. phys.
W. Blakburne physica professor
M. patiens Scharpws.
Blasius Laurentius græce
M. patiens latinis

Magister G. n. l. v. l. p. m. f. m.
Magister Richardus Ogilvie

Magister G. n. l. v. l. p. m. f. m.
Jamnes Palzer.

Quoties sacra domini cæna celebranda fuerit, dies præcedens sacrarum

* The "Jura" &c. here add: "Si quis arma clam apud se retineat castigatur: Magistri arma discipulis auferunt, nulla unquam reddunt. Si quis armis aut vilo telo alterum ad sanguinis effusionem vulnerarit, castigatus ignominiose tota Vniuersitate exterminatur. Si laurea Magisterii donatus eiusmodi facinus patrauerit, eiectus Magisterii titulo et gradu exauctoratur" (Record No. VII.)

† The Jura add: "convictores."

rerum ad eam actionem pertinentium lectioni dicata esto. Præceptores laurea magisterij donati et discipuli omnes eadem hora eadem menfa* facro D. N. J. Chrī sacramento communicanto.† (Ann. Coll. Fac. Art. 1451—1555. Records No. II.)‡

IV. A COPIE OF THE MORTIFICATION OF THE CUSTOMES OF THE TRONE OF GLASGOWE ETC. TO THE COLLEDGE BE THE RIGHT REVEREND FATHER IN GOD JAMES BOYD ARCHBISHOPE OF GLASGOW.§

Be it kend till all men be thir pnt lres vs JAMES be the mercie of god archbishop of glasgowe and chancelar of the universitie therof withe expresse p̄sent and assent of the chānouns & chaptor of our Metrapolitin Kirk of glasgow for the honor of god in advancing of good lres, & knowledge in his Kirk to be professit & taught w'in our colledge of glasgow, because the said colledge had of befor of us and our predecessores certane 3eirlie dewtie of o^r customes of our citie of glasgow that the samin sulde in no wayes be pairt or hurt bot rather augmentit & dotet by us To HAVE VNIT, ANEXIT AND PERPETUALIE MORTIFEIT in and to the said colledge all and hail our customes of our trone of glasgowe, grit & smal customes, fair or marcat customes, or of mett measure or weght perteininge to us within our said citie of glasgow w^t all pertinentes therof Lyk as we pūtle unit, anexis mortifies & incorporates the samin all and

* (Expectent vltimam). Jura, *ut supra*.

† "Omnes præceptores, laurea Magisterii donati discipuli tpe sacre lectionis, gratiarum actionis, psalmi decantationibus, in aula præsentēs libros habento; quod legitur non oscitanter attendunto, psalmum concinunto.

"Nulla librorum aut aliarum quarumcunque rerum aut discipulis inter se aut laurea donatis cum discipulis commutatio aut alienatio permissa esto."

"Si conuictorum aliquis in vrbe pernctauerit seuerè castigator. Si nocturnis ludis, peruigilationibus, peruagationibus noctem aut noctis partem vilis in album Academia ascriptus egisse intelligatur, summo supplicio multator.

"Si quis villam ob causam in alienos hortos irruerit, damnū reparato, seuerissime castigator.

"Nulla vel docendi vel disciplinam exercendi penes pædagogum potestas esto: Tota hæc ratio Gymnasiarchæ et m̄grīs Professoribus commissa esto" (Jura &c. *ut supra*.)

‡ There is no date attached to this deed, but as Thomas Smeton became Principal when Andrew Melville left Glasgow in November, 1580, it must have been drawn out between that period and the Archbishop's death in June 1581 (Reg. Fac. Art. Glasg. J. Melville's Diary, 65.) and if the professorship of Greek had its rise from Archbishop Boyd's mortification (No. IV. of this Note) it will fix the date still more nearly.

§ By this donation the funds were enabled to support a fourth Regent, who is understood to have been the teacher of Greek, (Report of Royal Commission of Inquiry into the State of the Scottish Universities, 1831, p. 218.) The original of this deed of Mortification and a Confirmation of it by James VI. are preserved among the University's Charters. Blackhouse's MS. Inventory of Writs belonging to the Univ. of Glasg. Nos. 422, 3.

hail thairto to remaine thairw^t for ever w^t all Emolumētes, fruites, profites annisaries or other commodities q^tsumever To be upliftit, peacablie bruked & joyset be the maisteres and regētes of our said Colledge present & to cume, thair factores, collectores & servitores in thair names peacablie, w^tout all truble, stoppe or impediment w^t als good right as we or anye of our predecessores bruiket or joyset the samin or might haw done from the beginning Halding the saids hail customes & pertinentes y^tof of us and our sucessores Archbischopes of glasgow w^tout any revocatione or againcalling q^tsumever Ordaning y^t this our vnion & anexation be registrat in the common books of the s^{dis}. universitie & colledge for a perpetuel memorie of our good favor borne thairunto And siclyk binds & oblishes us and our suceffores to warrand, acquyet and defend this our union and anexation to the said colledge, or to mak farther securitie y^trof in most dew and competent forme as effeires to remaine for ever w^t the said colledge IN WITTNES of the qlk thinge and of the hail premiff to this our vnion & anexation maid to the said colledge subscriyvit w^t our hand our seil is affixit Togider w^t the common seil of o^r chaptor and subscriyvit be the chañõs y^trof in token of thair osent & assent to the premiff At glasgow the twentie aught day of the monethe of May the 5eir of god a thousand fiue hundrethe four-scor and ane 5eires befor thir wittnes Mr. David weimis minister of glasgow Mr. Androw Polwart subdeane of Glasgow. (Record No. VII.)

Copies of the principal deeds relative to the University together with much curious and valuable information, will be found in the Report of the Royal Commission of Inquiry into the State of the Scottish Universities, 1831, and in the Appendix and Supplementary Appendix to that document.

NOTE D.—BOYD'S LAST YEARS AND DEATH. (Page 230.)

JAMES Melville has, in the part of his Diary quoted in Note A., represented Boyd as finding such a curse on his office that he repented full sore "that ever he tuk on that Bischoprie," and Spotswood has asserted that the ingratitude and harshness of Andrew Melville and of Boyd of Badenheath so much affected his mind that "he contracted a melancholy whereof he died not long after" (Hist. p. 303.) Both these statements seem to be tinged more or less by the party feelings of the authors. It does not appear from the proceedings of the General Assembly relative to the Archbishop that he was so willing to lay

down his office as James Melville's *Diary* would lead one to anticipate (see *supra*, pp. 218-25.) Spotswood's assertion is greatly more unfounded, and can only be accounted for on the supposition that he was grossly misinformed or that he wilfully misrepresented the facts (compare Spots. 303, with Robert Boyd's *Philotheca*, *supra* 208, and the passage respecting the Archbishop's submission to the G. Ass., p. 225.)

According to the last author, Archbishop Boyd "being comforted by Mr. Andrew Polwart Subdean of Glasgow, departed this life in great quietnesse. . . . His corps was solemnly buried in the Quire of the Cathedral, and laid in the sepulchre of Mr. Gawan Dumber one of his predecessors." (*Hist. ut supra*.)

It is said that Boyd alienated part of the Archiepiscopal property: the following are the facts upon which that accusation is founded. Mr. Peter Young of Seytoun, the King's "master elimosinare," obtained from the Archbishop "ane zeirleie pensiou of twa hundreth pundis money . . . for all the dayes of his lyvetym," which was confirmed by the King and ratified by parliament in 1587 (*Acts Parl. Scot.* III. 491.): the Archbishop granted a tenement in Edinburgh, which belonged to the bishops of Glasgow, and is described in the ratification by parliament in 1592 as "ruinows and waist" to James Boyd of Kipps in feufarm (*Ibid.* 616.): he feued the lands of Bedlay to Lord Boyd, and those of Gorbals to George Elphinston, merchant in Glasgow (*Gibson's Glasg.* 60.): his mortification of the Customs of the Tron of Glasgow, made "withe express consent and assent of the Channounes and Chaptor," has been inserted in Note C. to this Life. In the Register of Presentations to Benefices are confirmations of a pension to Robert Lord Boyd of 1000 merks from the Archbishoprick of Glasgow and Abbacy of Paisley, Sept. 23, 1578, and of a pension of 100*l.* Scots by the Archbishop to Thomas Master of Boyd, June 19, 1583 (*II. 89. Reg. Secr. Sig.* XLIX. 126.)

At the parliament of 1587 John Chalmers of Troquhane appeared and protested in name and behalf of Boyd's widow that "the benefite and fauour of restitution grantit in this present parliament to James betoun archiebischope of glasgw sall onnawayss be hurtfull or preiudiciall to hir and hir bairnis anent thair richtis and titillis of quhatsumeuer landis or possessionis of the patrimony of the archiebishoprick of glasgw or vtherwyss" and at the same time Lord Boyd protested for himself and Thomas Master of Boyd, Robert Boyd of Badinchauch (Badenheath), James Boyd of Kippis, George Elphinstoun of Blythiswod, Hew Crawford of Clovarhill and Alexander Boyd brother of Adam Boyd of Pinkill that the same restitution should not prejudice them "anent quhatsumeuer richt, title, tak, rentale or few grantit to thame or ony of thame be vmqle James boyd

archbishop of glasgw for the tyme or ony vther his predecessouris" (Acts Parl. Scot. III. 470, 1). Betoun's restitution, was rendered ineffectual "be reasone he failȝeit in giving the Confessioun of his faith and acknowledgeing of our souerane lordis auctoritie." (Ibid.)

No notice whatever of Archbishop Boyd is to be found in the Testamentary Record of Glasgow.

LIFE OF ARCHBISHOP GLADSTANES.

NOTE A.—NOTICES OF GLADSTANES FROM HIS BIRTH TILL 1597. (Page 234.)

THE Editor can add but little to the account given by Wodrow of Gladstones' parentage. The records of the town of Dundee were examined by the kind assistance of Mr. Burnes of Montrose, for any notices of his birth or extraction, but without any favourable result. It seems agreed upon all hands, however, that neither of them were by any means very exalted (Balfour's *Vitæ Episcop. S. Andreæ*, in *Bibl. Acad. Glasg.* See also *supra*, p. 234.) He was probably born between the years 1560 and 1565, and appears from Wodrow's statement to have received the earlier part of his education at the school of his native place (*supra*, 234.) In 1576 he was incorporated a student of St. Salvador's College in the University of St. Andrew's, and in 1580, he took the Degree of Master of Arts, on the last of which occasions he is mentioned in the Faculty Quæstor's books as a pauper,—that is, one who paid the lowest rate of fees. It is probable that he afterwards studied Divinity under Mr. Andrew Melville and that he was licensed as a preacher about 1585. No notice of his name has been discovered in the Record of the General Assembly till 1587, when among the "Grives of the Kirk given in to his maiestie" by that court, we find the following under the district of Angus and Mearns: "Wm. Douglass sonne to the Laird of Glenbervie hes cawsit wnbett [wnbesett] at syndrie tymes M^{rs} *George Gladstaines* and Andrew Myllne with armit men at yair howssis and lying in wayte for them about yair houssis and, war not the releife of god and good men, had taken thair Lyves" (*B. of Univ. Kirk. in Bibl. Acad. Glasg.* p. 279.) Gladstones was present at the Assembly held in August, 1590, as one of the ministers of the same district. At the Assembly held at Montrose in June, 1595, among several "articles [presentit] from his maiestie, craving the sam^e to be red and

anserit," it is mentioned, that "In respect Mr. Johne Craig is awayting quhat howr it sall pleis god to call him and is wnable altogether to serve any langer, and his ma. mynd is to place Jon Duncansone with the Prince and so hes no ministers but Mr. Patrick Galloway Theirfoir His H. desyres ane ordinance to be maid granting him any two ministers he sall chwse;" to this request the Assembly replied in the following terms, "It is agreit that His Ma. sall have choyce of the most grave, Learnit and godlie brethrene of the ministrie with advyce of the Commissioners following to be direct to his maiestie, viz^t M^{ris} Robert Bruce, An. Melvill, Ja. Melvill, Da. Lyndsay, Da. ffargwsone, Ja. Ballfour, Thomas Buchannane, Ja. Nicolson, An. Lambe, *George Gladstanes* or ony sax of the said brethrene quha ar appointit to meit the 22 of July nixt." The Assembly of March, 1596, gave Commission to the ministers of the presbyteries of Moray and Aberdeen "to insist in conference with the Earle of Huntlie," a Roman Catholic, and to that effect appointed Gladstanes and four others to assist and concur with them, and in the session immediately following the same parties were desired "to trait lykewayes with the Erle of Arrol." At the Assembly held in May, 1597, Huntlie's answers to the articles proposed to him were presented: the reply to the 10th stands thus: "He agries That at the Sicht of the ministers, M^{ris} David Cünnyngame, Alex^r Dowglas, *George Glaidstaines* and of his friends Pitlurge [and] Cluny sall sett downe ane order for provisione of his kirks qlk he promises to execute immediatlie after his absolutione" (Ibid. pp. 287, 343, 4, 366, 368, 374.)

The names of the parishes of which Gladstanes was minister are very obscurely given at p. 234. The St^c Seres of Wodrow is evidently the St. Cyrus of the present time,—the kirk of St^c Mary, apparently Marykirk,—Saint Kenneth, probably Kinneff: Kellie, as the Editor has been informed by Mr. Burnes, never was a separate parish, but is situated in that of Arbirlot. Application has been made through the medium of that gentleman for information respecting Gladstanes at all these parishes, but their registers do not in general extend beyond the period of the Revolution and the reply has thus been uniformly unfavourable.

NOTE B.—GLADSTANES' MINISTRATIONS AT ST. ANDREW'S.* (Page 235.)

It is but too true that James Melville preached at the reception of Gladstanes as minister of St. Andrews. "At the tyme of that alteration," says he, "I was

* From unavoidable circumstances, the references on the margin of the Life to this and the succeeding notes were omitted.

mikle and verie instantlie vrget be the King to mak the sermont at the receaving of Mr. George. Fallon leathe was I, and soar was it against my hart for manie weghtie reasones, bot seing tha guid honest men was at ane extream poinct of wrak, hauing ane interlocutor of the Sessioun past against tham of ten thowsand mark quhilk tendit to thair vtter hearschipe I indented with the King for the staying of that decreit and composing of that mater (wherin I haid sa lang trauelit with his maiestie) I wald condiscend to do that quhilk vtherwayes my hart could nocht suffer me to do, for I thowcht ther could be na ill don in teatching the Word trewlie, and, I thank God, therin I satisfeid my conscience, bot the doing of it at that tyme and by sic a compaction was a grait huik in my hart and wrought sear remorse at the newes of his deathe. Bot, as the cersar of harts and reanes knawes, the overthrow of that ministrie of St^e Andros was a heauie overthrow to the ioy and pleasure of my saull, sa far was I from art, part, read, counsell, consenting therto, or allowing therof" (J. Melville's Diary, 278.)

Respecting the appointment of Gladstones as one of the ministers of St. Andrew's and his subsequent transactions there, the Records of the Presbytery and Kirk Session supply the following information:—

At St. Andrews 15 July, 1597, Complained Mr. James Nicolsoun and Mr. Thomas Buchanan who in name of His Majestie & Commissioners of the General Assembly chairgit the Presbytrie to accept of Mr. John Rutherford as one of their number & fellow-member of their presbytrie In lyk maner the saids commissioners cravit Mr. George Gladstones to be accepted of be the Presbyterie a minister of St. Andrews and a sympresbyter with them. The qlk the saids commissioners did wryt and receavit answer from the presbyterie in writ in lyk maner wharof the principall subscrivit is affixit in this book.**** (Presb. Record.)

19 July 1597. *The first entrees of Mr. George Gledstanis, Minister.*—This is ye first day y^t Mr. George Gledstones Minister enterit in ye Sessioun and maid prayer to God & procedit to ye office of ye ministrie and discipline conforme to ye order of ye sessioun (Kirk Session Record.)

At St. Andrews 4 Aug. 1597. The sam day comperit Mr. Andro Melvill provest of the college of Theologie complaining that the Students of Theologie wer debarrit from the heiring of the conference and censur upon the doctrin & exercise and using of the discipline seing that wes the speciall mean to mak thame able to serve in the Kirk thereafter &c. The qlk just complent when the Presbyterie hes considerit they ordaine the maist gratius of thair number in court and with Mr. George Gladstones & Mr. James Melvill being also of the commissioners of the General Assemblie to entreat his Ma^{tie}. and the remanent commissioners for remeid therof (Presb. Record.)

17 Aug. 1597. *Admissioun of Maistir David Lindesay to the Ministrie.*—The qlk day Mr. David Lindesay, w^t advys of Patrik Murray commissioner to ye Kingis Majestie Maisteris Thomas Buchanane & James Nicholson ministeris & commissioneris for ye general assemblie, is publiclie ressaut in ye kirk immediatlle efter sermone & efter earnest incalling upon ye holy name of God to be fellow laborer in ye ministrie of Sanctandris with Mr. George Gladstanes minister therat &c. &c. (Kirk Session Record.)

8 Sept. 1597. The samyn day the whole brethrein *sigillatim* declared thair gude mynd toward Mr. George Gladstanes, whom, according as they suld espy his fidelitie in his ministrie and the blessing of God thereupon, they wald comfort with all kynd of assistance, help and forderance in the samen (Presb. Record.)

The qlk day also the said whole brethren gave testimonie to Mr. David Black* of fidelitie, honestie and all dewte in the discharge of his ministerie and utherwyse (Ibid.)

9 April 1598—The Bretheren ordinis Mr. David Lindesay Minister to teache upon Maister Calvin's Catechise and the bairnis to answer him conform to ye commoun catechise (Kirk Sess. Record.)

Ult. Maii 1598. *Anent the text for preacheing.*—The qlk day it is thoctt gude be ye bretheren that Mr. George Gladstanes minister proceid in preaching of the second book of Samuell and ye buikis of ye Kingis following upon ye Saboth day (Ibid.)

Junii 22. 1598. Ordains Mr. George Gladstanes to give in his theses upon the 3 cap. of the 1 epistill of Paul to Timothie this day twentie dayis (Presb. Record.)

21 July 1598. *Ordour for preparatioun of the Fast and Communioun.*—The quhilk day eftir incalling upon the name of God it wes concludit the preparatioun and ordour of ye fast and communioun service to be as follows, viz. Maister George Gladstanes to preache ye morn efter nwne for preparatioun and sall intimat ye fast & upon ye next Saboth ye morning preaching to begin

* The following notices of this well known person appear in the Record of the Kirk Session :

19 March, 1596[–7.] The Sess. has stated y^t. ye clerk wrett ane bill & missive in y^r. names to Mr. Dav. Black y^r. min. to gif him thanks for his last letter, as also to tell him y^t. ye Kings Ma. is desyrous to confer w^t. him & y^t. he send his awin supplica. to his Ma. to obtsein licens to cum to his Ma. to that effect & to schaw ye said Mr. David y^t. q^t. lyes in y^r. power to further his hame cuming thai sall do ye samyn w^t. his awin adviss, &c., &c.

8 May, 1597. Supplication to ye Gen. Assemblie at Dundee to interscid to his Ma. to grant licens to Mr. Dav. Black to be restorit & admittit to cum hame to yis citie to use his function of ye ministrie as he wes wont to do, &c.

at fyve houris and sic as heiris that preaching sall then communicat only and to that effect the durris to be lockit at ye ending of ye psalme & ye secund sermon to begin at nyne houris & Mr. David Lindesay to teache in ye College Kirk before nune and eftir nune at thrie houris (Session Record.)

Feb. 15. 1598[-9.] The qlk day after the incalling of the name of God, Mr. Andro Duncan who suld have maid the exerceis and Mr. William Murray who suld have added being absent be ressource of the storme, thairfor Mr. George Gladstones, lest the place suld be destitute, occupyit the samyn whois doctrein wes censurit and allowit (Presb. Record.)

Maij 3. 1599. The same day Mr. Andro Melvill, prowest of the New College, gave in ane complaint tuiching ane calumnie raisit be sum of the citizens of St. Androis agains him that he in the absense of Mr. George Gladstones did hald conventicles with Mr. David Lyndesay deiling with him to mak divisioyn in the said citie of St. Androis. The said Mr. David being demandit thereof answerit befor God and in presence of the haill presbytrie that he knew never of sic thing (Presb. Record.)

Sept. 24. 1601. The presb. thinks gude that sum things be remembered to be insisit in, namlie, 1. tuiching yai things qlk wer delatit at the visitation of craill against thair ministers 2. Tuiching Mr. George Gladstones meddling in the actioun betwix the universitie & the toun of St. Androis he submittis him to the will of the presbyterie (Ibid.)

May 6. 1602. The provest of the New College [Mr. A. Melville] regratit to the presbyterie that he being haldin in his chalmer be the Lord's visitation Mr. George Gladstones cryit out publictly against the Universitie as sic quhilk wald exeme them self *de disciplina* he having no occasioun except that laitlie befor the Universitie maid intimatioun to the sessioun of their privilege. Mr. George answerit he was offendit at the said intimatioun and sett himself against it and if he haid not just cause referrit him to the jugement of the presb. Therfor ordains the said intimatioun to be producit (Ibid.)

May 13. 1602. The Presbyterie having deiply considerit ye intimatioun of the Universiteis privilege maid to the sessioun of St. Androis hes found ye caus thereof to haif been becaus the said Sessioun hes none of the memberis of the Universitie therefrom as it wes wont to haue quha wer judges of ther scholaris and therfor recommendis the redress of that mater to the ministers of St. Androis, quha promiseit at the nixt electioun to nominat of the universitie to that effect* (Ibid.)

* This practice had been discontinued since October, 1597 (Session Record. See also Note C.)

October 5. 1603. Mr. George Gladstanis protestit agains the chosing of Mr. Robert guill moderator alledging he was nather pastor nor doctor and requyrit his protestatioun to be noted (Ibid.)

May 24. 1604. Mr. George Glaidstanis, being requyrit to give in his theses, cravit a supersedere because of his distractiounis: ordanit to give ane resolut answer the next day (Ibid.)

Mr. George Glaidstanis cravit ane manss and gleib to be designit to him according to the ordinance of the last synod. The Presbyterie ordanis Mr. William Murra and W^m. Erskyne to designe the same (Ibid.)

May last 1604. Mr. George Glaidstanis, requyrit of his theses, cravit that he quha followit suld be chargit becaus of his occupatiounis. Mr. W^m. Marche is ordanit to haist it so sone as he may and Mr. George to occupie his rounge in the exerceiss (Ibid.)

Aug. 30. 1604. Mr. Robert guill cravit the presbyterie advyss and war-rand tuiching ane requiest of Mr. George Glaidstanis to him to occupie his place upoun the saboth efter none and fryday. The Presbyterie gives their approbatioun and allowance thereto (Ibid.)

Jan. 17. 1605. Mr. George Gladstanis, requyrit to handle the commoun heid quihilk had lyen sa lang on him, desyrit the Presbyterie to haif him excusit be reasoun of the plat quhere he behouvit be present. The Presbytrie, considering the said reasoun, ordanis Mr. Patrick Melvill quha followis to prepare himself.

It appears from the Record of the Diocesan Synod of St. Andrews, that Archbishop Gladstanes besides opening the ordinary meetings by sermon, was in the habit of preaching at all the visitations of churches, which he appears to have held with great diligence.

The notices of Gladstanes during this period of his life in the Record of the General Assembly are very numerous. The Assembly in May, 1597, appointed "Mr^u. Alex^r. Douglass, Ja. Nicolsons, *George Glaidstaines*," and 11 others of "the most wyse and discreit of the brethrene, or any sevine of them, to conveine with his Ma. betwix the day of thair presents and the last day of May instant With power to them to tak solide order anent the provisioun of the Ministries to the Townes of Ed^r., Dundie and St. Androis, His Ma. and the princes hous and to give thair adyce and judgment to his Ma. anent the planting of everie particular Kirk within this realme to mak such overtwe as they can best devyse towching the constant platt and generalie to give thair adyce to his Ma. in all effaires concernyng the weill of the kirk and interteyn-

ment of peace and obedience to his Ma. within this realme, with express power and command to the saids Comissioners to propone to his Maiestie the Petitiones and Grives of the Kirk in generall as of everie member thair of in particwlar, as sal be meint wnto them" (B. of Univ. Kirk in Bibl. Acad. Glasg. F. 1. 1. pp. 381, 2.) The same Assembly gave "full power and commissione to the brethrene appoyntit for receaving the Erles of Huntlie and Erroll to enter in a further conference and tryell with James Wood appeirand of Bonytowne* And in case of full satisfacione to be maid be him to the saids comissioners in such heids and articles quhairin he hes not as 3it satisfyit The Assemblie gives wnto them power to Lowse him from the Sentence of excommunicatione and receive him againe in the bosome of the Kirk; Attoure The Assemblie ordeynes M^{ris}. *George Gladstaines*, An. Myllne, An. Leiche, Jon Ramsay and Andrew Lambe to deal with the Laird of Bonytowne and travell in the reconciliatioun desyrit and satisfacione offerit be the said complenar his sonne" (Ibid. pp. 382, 3.) At the Assembly held in March, 1597-8, "M^{ris}. Ro^t. Rollock, Da. Lyndsay, Rob^t. Pont, Patrick Galloway, Jon Duncansone, James Nicolsone, Tho. Buchannane, *George Gladstaines* or any fyve of them" were ordained "to conveine with his Ma. to put the decreite of the Comissioners anent the planting of Ed^r. to farther executione and place the ministers of Ed^r. at thair particwlar flockes Ordayning lykwayes the ministers of Ed^r. to obey the said decret" &c. (p. 390), and in the following Session Gladstanes was nominated one of the Commissioners to meet with the King "anent the setting downe and concluding of the solide grounds and fundaments of the constant platt and quhat securitie sal be maide to the takismen for the remanent of thair teinds" &c. (p. 391.) At the Assembly held in March, 1600, he was appointed one of the Commissioners "quhais speciall cair and travell sould be to give thair advyce to his Ma. in all effaires concerning the weill of the Kirk & interteynment of peace and concord betwix his Ma. and the Kirk," till next Assembly (Ibid. 404, 5.) The Assembly in May, 1601, considering "nothing more necessar nor to have his Ma. hous, the Princes hous, the Erles houssis and places of thair residence and wthers places of chiefest importance, as the Towne of Dumfreis, to be weill plantit with learnit godlie and wyse persones, and quhair the laicke of provisione micht be ane hinder to ye present planting, as at the Erles houssis, it war requisite for a tyme that the meitest for that purpose, &c.,

* Respecting this person, see the printed Calderwood, pp. 300, 2, 320. "Bonintoun, younger, was beheaded at the Crosse of Edinburgh upon the 27 of April, [1601.] for stealing of his fathers evidences. He died an obstinat Papist" (Ibid. 446. See also Pitcairn's Criminal Trials, II. 340, 7.)

could be transportit from thair awne places to remaine for ane quarter or half ane zeir," ordained Gladstanes "to be direct to awayte wpone the Erle of Huntlie" (p. 411.) He was also nominated one of the brethren "to intreat and advyse on such owertures as be thair commone consent sall be fund most meit and expedient for advancing of the wark of the constant platt, to lay downe such grundis as they sall find most profitable for prosecuting of the samen and to reporte" &c. (p. 413) and in the last Session of that Assembly he was again appointed one of the General Commissioners of the Church, and Commissioner "to try the life, doctrine, and maner of conversatioun of the ministrie, &c., and to plant the Kirks quhilkis as zit ly destitute of the profite of the word" within the bounds of Caithness and Sutherland (pp. 415, 6.) He appeared in the latter capacity at the Assembly held in November, 1602, and was called on, along with the other ministers who had been desired to attend the Popish Earls, for a report of his diligence. The entry in the Record stands in the following terms: "Sess. 2d. 10 Novembris post meridiem The said day being callit Mr. George Gledstaines minister at St. Androis, &c. The said Mr. George compeirand declairit yat at ye tyme of his journeying northward for visitatione of the Presbyteries of Cathnes and Sutherland he addressed himself to the Marquess of Huntlie and remained with him the space of thrie dayes. During the quhilk tyme he conferrit with him anent the contravertit heids of Religione and desyrit of his L. that he wald schaw him quhairin he dowed, yat to the effect be his conference he mycht be resolvit of swch heids quhairof as zit he was not fullie satisfyt, Quhilk his L. promised to do at his back-coming And Lykways having demandit quhy his L. kirks war not plantit and quhy he resortit not to the preiching at the ordinar tymes in Paroche Kirks To the first he answerit that the non-planting of his kirks proceeds vpone the not giving Licence to the Persones of the saids kirks to renew his taks conforme to the promise maid to his L. be the Commissioners of the Assemblie at the tyme his L. grantit to [them?] ane awgmentatione of the rent of the saids kirks As to the second he could not weill resorte to the Paroche Kirk pairtlie in respect of the meine rank of swch as war within the Paroche and pairtlie in respect his L. predecessors war in wse to have ane Chappell in thair awne hous Quhilk he was myndit to prosecute now, seing he was presentlie repairing his hous of Strathbogie. The said Mr. George, being demandit quhy he maide no longer residence with his L. conforme to his commissioun, Answerit that he could not becans the Marquess of Huntlie was wpone his voage Sowthward at his Ma. directione for reconciliatioun of the feid betwix him and the Erle Morray Quhilk feid was the caws quhy his L. could not communicat (Ibid. pp. 421, 2.) In that Assembly several persons were appointed to examine the reports of the Commissioners

of the different districts, and they reported to the Assembly that "in all their diligences productit, *except* of *Cathness* and *flyffe*, the visitors hes not exactlie tryit the lyfe, &c., of everie minister at his awne kirk and be his awne flock, but nakedlie and sclenderlie be ane generall vew at the Synodall Assemblie." The Assembly therefore again nominated Commissioners and Gladstones was reappointed to his former charge (p. 426.) In the following session of that assembly he was nominated one of the committee to whom "the referres and petitiones of the Synode of *flyffe*" were referred, (p. 429) and in one of the concluding sessions he was again appointed one of the Commissioners of the Kirk (p. 434.)

The Archbishop's correspondence sufficiently shows his connection with the remaining assemblies held during his life. Respecting his attendance on the secular courts it is unnecessary to say any thing, as the Parliamentary Record, which contains the principal notices of him, is accessible to all.

NOTE C.—THE UNIVERSITY OF ST. ANDREW'S. (Page 268.)

THE act to which Gladstones here alludes was accordingly passed. In 1609 his Majesty with the "advyse of the estaittis of this present parliament" considering that the "act of parliament maid anent the reformatioun of the vniuersitie" of Sanctandrous "is almost neglectit and come in desuetude, the forme of studeis, employment of rentis and gouernament nawayes keipit accordinglie thairto, and the actis of the saidis visitationis maid be our souerane lord, his heighnes chancellor and fairsaidis lordis of counsaill contemned and disobeyed," appointed Alexander Earl of Dumfermling Chancellor, George Earl of Dunbar High Treasurer, George Archbishop of Saint Andrew's Chancellor of the said University, &c., commissioners and visitors of the said University to meet and convene at such times and places as shall be thought most expedient "vpoun the premonitioun directed be our said souerane lord his heighnes chancellor or Archbishop of Sanctandrous as shall be thocht meitest and Ay and quhill his heighnes with advise of his privie counsell shall discharge the samyn, And in their said meeting to tak ordour with all and sindrie abuses committed or to be committed induring the space of the said commissioun," &c. (Acts Parl. Scot. IV. 442, 3.)

Gladstones had from a very early period taken an active part in the visitations of the University.

"It appears from the minutes of the Royal visitation in the year 1597," says Dr. Lee, "that Mr. George Gladstanes was one of the acting Commissioners. Among many other acts intended for the purpose of annihilating the influence of Mr. Andrew Melville in the church, it was ordained by that commission on the 11th of July, 1597, that all doctors and regents professing either Theology or Philosophy should be prohibited from sitting in Sessions, Presbyteries, Synodal or General Assemblies. The King was present at this visitation and subscribed the acts along with eleven commissioners.

"In a second visitation in 1599 Mr. George Gladstanes was again a commissioner, and when the Earl of Montrose, chancellor of the realm, was appointed chancellor of the University (5 July, 1599) 'Mr. George Gladstanes minister was appointed depute to him in the said office during his Majesty's and the said chancellor's will.' As vice-chancellor he was one of the councillors in the affairs of the University, and one of the ordinary examiners of the classes of Theology. It must have been very galling to Mr. Andrew Melville to be thus placed under the superintendence and control of a man so much younger than himself, who a few years before had been his own pupil, and who appears to have been raised to undue consequence by the servility of his disposition."

Many notices of the University will be found in his correspondence (*supra*, pp. 258, 263, 304.)

NOTE D.—THE WILL, POSTERITY, AND CHARACTER OF GLADSTANES. (Page 310.)

Testamentum
testamentarū
Georgij
Archiepiscopi
Sanctiandrei.

The testamēt testamētar and Inventarie of the guidis geir and dettis pertēining and awand rexiue to v^mq^u. ane reverend father in god George be the mercie of god Archibisshop of Sanctandreis primat of Scotland pertēining to his L. the tyme of his deceis quha deceiffit vpoun the secund day of may 1615 geiris ffaythfullie maid and gevin vp Be Cristian Durie his l. reliēt spous and executrix testamētar nominat be his l. as his L. lattirwill of the dait the xxvij day of Januar 1615 beiris.

In the first the said Cristian executrix foirfaid gevis vp the guidis and geir following of the prices and valoris efter fpeit To wit his L. buikis and Bibleothek estimat in valo^r to the fowme of ane thousand thrie hundreth threttie

thrie^{lib.} vj^{sh.} viij^{d.} Item in Vtincillis and domicillis by and attour the airfchip
Eftimat to vj^clxvj^{lib.} xiiij^{sh.} iiij^{d.}

Suma of the inventarie

ij^{m.} liib.

Dettis awand to the deid.

In the first be Bernard Lindefay of Lochhill and Sr^r Johnne Dalmahoy of
that ilk knicht and Andro Logan of Cotfeild, m^r Robert Lindefay brother ger-
man to the said Bernard and Thomas Lindefay merchand burges of Ed^r cau-
tionaris for the said Bernard, conforme to ane cōtraēt matrimoniall Maid yair—
anent, the fowme of four thousand sex hundreth thrie fcoir & sex^{lib.} xiiij^{sh.} iiij^{d.} as
tocher guid promittit be the said Bernard, to m^r Alex^r glaidftanis archideñ of
Sanctandrois and sone to the said vmq^{ll} Lord, Item be the fewaris or takifmen
or vthiris addettit in payment of the customes of Sanctandrois the fowme of L^{lib.}
money as for the dewetie of the faids customes During the 3eiris of god 1604,
1605, 1606, 1607, 1608, 1609, 1610, 1611, 1612, 1613, and 1614 extending 3eirlie
to the fowme of L^{lib.} and in the haille to ye fowme of v^cL^{lib.}, Item be Joⁿ Stirling
of Eister brakie for the dewetie of his tak of greit and small teinds of the faidis
Landis of Eister brakie with ye pertenenis of the crop 1613 Liij^{lib.} vj^{sh.} viij^{d.}
Item for the tak teind deweteis of the faids Lands of the crop 1614 j^cvj^{lib.} xiiij^{sh.}
iiij^{d.}, Item be Thomas fraſr of weſtir brakie for the teind dewetie of the faidis
Landis of the crop 1614 Lxvj^{lib.} xiiij^{sh.} iiij^{d.}, Item be James Lord ogiluie for ye tak
teind dewetie of his Landis Lyand within the parochin of Kynnell of the crop
1614 Liij^{lib.} vj^{sh.} viij^{d.}, Item be the fewaris of Craighfuthie for yair part of the
releiff of the taxt Impofit vpoun the cōvertit bollis of the faids Landis term-
lie for ye first and fecund termes Lxxix^{lib.} extending in ye haille to the fowme of
j^cxxxvij^{lib.}, Item be ye fewaris of Middilfuthie for ye said reſſoun and caus term-
lie the faidis tua termes Lxxix^{lib.} extending in all to ye fowme of j^cxxxvij^{lib.}, Item
be the airis and executoris of vmq^{ll} Johnne Strang of Kilrynnie the fowme of
xxxvj^{lib.} term-
lie during ye faids termes for his part of the releiff of the said taxt
extending in ye haille to ye fowme of Lxxij^{lib.}, Item thair is now awand as ane
ſupervenient dett Be ye moſt reverend father in god Johnne be the permiſſioun of
god archibiſhop of Sanctandrois as principall, The reverend fatheris in god Patrik
biſhop of Roſſ and James biſhop of orknay his cautionaris, for ye ā nat and re-
paratioun of the Manſ of the archibiſhoprik of S^t androis and vthiris deweteis
pertening thairto cōforme to ane obligaⁿ maid yairanent of the dait the Nynt
day of auguſt Laſtwes the fowme of aucht thouſand punds money of this realme,
Item reſtand be the tennentis of Stannoquhie for thair ferme of the crop 1614
tua chalderis yiſtuall tua part meill and thrid part beir price of the boll beir
vij^{lib.} price of the boll meill v^{lib.}, Item be the tennentis of feddinche for thair ferme

crop fairfaid ane chalder beir and aucht bolls aittis price fairfaid, Item be the cōmiff^r of Starveling conforme to his compt for bygane quottis of testamen-
tis xl^{lib}.

| | |
|--------------------------------|---|
| Suma of the dettis | xiiij ^m . ij ^c ix ^{lib} . iiij ^{sh} . iiij ^d . |
| Suma of ye inventar and dettis | xvj ^m . ij ^c ix ^{lib} . iiij ^{sh} . iiij ^d . |

Ordinar dettis awand be ye faid vmq^{ll}. Lord.

In the first to Johnne Low for his fie and Bruice Lxxx^{lib}, Item to Elspet Low for hir fie xxv^{lib}, Item to David Wattfone Bruand xxx^{lib}, Item to Robert andirfone Bruand vj^{lib}, Item to James Donaldfone Bruand iiij^{lib}, Item to Margaret ramfay Bruitric v^{lib}, Item to David mcgill of Cranftoun for housfmail of ane terme for the Ludging in ed^r. j^cvj^{lib}. xiiij^{sh}. iiij^d, Item to the cōmiff^ris of Ed^r for yair ordinar fie and stipendis of the 5eir 1615 and terme of Witfunday thairof iiij^cxxx^{lib}, Item to m^r. David Wod his l. chalmerlan 5eirle during ye 5eir 1613 and 1614 ij^c lib. extending to iiij^c lib. Item to the lordis collector for Witfunday 1615 xxxv^{lib}, Item to m^r. Alex^r. Levingftoun for his fie of the faid terme L^{lib}, Item to Johnne (kugall for his fie ye faid terme xxxiiij^{lib}. vj^{sh}. viij^d.

| | |
|--------------------------|--|
| Suma of the faids dettis | j ^m . j ^c . v ^{lib} . |
|--------------------------|--|

| | |
|--|---|
| Suma of the frie geir ye dettis deduct | xv ^m . j ^c . iiij ^{lib} . iiij ^{sh} . iiij ^d . |
|--|---|

quot Gratis.

| | |
|--|---|
| Quhilk being devydit in thrie partis ilk p ^t is | v ^m . xxxiiij ^{lib} . xiiij ^{sh} . |
|--|---|

ffollowis the faid vmq^{ll}. Reverend fatheris Lattirwill

Apud ed^r. 27 J^{ary}. 1615 I Leave my wyf Cristian Durie my onlie executrix and intrōmissetrix with my haill guidis and geir and tutrix to my bairnes that ar Minoris Also I assign to hir the sōwme of sevin thowfand merkis that is in the handis of Bernard Lindefay to be vfit at hir pleaf^r

Sic subscribitur, Sanctandros

This pnt inventarie and testament befoir writtin Togither with the execu-
trix thairin cōstitut is cōfirmat vpoun the first day of februar 1616. the faid
executrix maid sayth &c. and m^r. alex^r. gladstaines archiden of Sanctandros is
becum caution &c. The faid executrix is becum actit to relive him &c. (Testa-
ment Register, St. Andrew's, (General Register House, Edinburgh) Vol. V.)

The family of Archbishop Gladstanes appears to have consisted of one
son and two daughters. Alexander Gladstanes studied at the University
of Cambridge (supra, 293.) To as late a date as 1612 his father had continued
to act as first minister of St. Andrew's, but in that year the Archdeanery was
separated from the Archbishoprick (Acts Parl. Scot. IV. 493,) and this young

man, although he had entered on the study of Divinity only three years before, was appointed Archdeacon and first minister. In that situation he continued till 1638 (*supra*, 315,) but his conduct was many years before far from irreproachable. In December, 1615, the very year in which his father died, we find Archbishop Spottiswood advising him "to follow his calling and behave himself with greater gravitie," and not to be "*a company bearer with common folkis in drinking*," (Affairs of the Ch. of Scot. MS. Adv. Lib. A. 2. 53. 41.) One of the Archbishop's daughters, Elizabeth or Elspeth Gladstones was married in or before 1632 to Dr. George Haliburton, and from them was descended a son of the same name born in 1635, who was consecrated bishop of Brechin and was afterwards translated to the See of Aberdeen (Edwards's Descript. of the County of Angus. Regist. of Births and Baptisms St. And. Russel's Keith's Catal. 134, 168.) Another of the Archbishop's daughters whose name is not mentioned, was married to John Lyon of Auldbar, and died without issue by him (Wood's Douglas's Peer. II. 564.)

"It is very evident," says Dr. Lee in one of his communications, "that the memory of Archbishop Gladstones was not much revered, even by some of those who had been indebted to his patronage. In an oration delivered in 1617 by Dr. Robert Howie who had been brought from Aberdeen in 1607 as successor to Andrew Melville, [see *supra*, 258-60, 263] all the Chancellors of the University are enumerated, and generally with commendation. But of Gladstones he gives only this simple notice, '*Tandem successit gratia et autoritate regia Georgius Gladstonus, qui anno 1615. 20 Maii obiit*'—and then he proceeds to a most extravagant panegyric of Spottiswood who had been Archbishop of St. Andrew's and Chancellor of the University about a year and a half."

CORRECTIONS, ADDITIONS,

AND

CONJECTURAL EMENDATIONS.

-
- Page 18. Line 24. *after May 10 insert [July 6 ?]*
 22. 28. *between Andrew and Galloway insert [Alexander ?]*
 48. 4, 5. *punctuate thus? Patrick Kynnimonth, for Fife, Mr. William Lundy of that ilk, Thomas Scot of Abbotshall; &c.*
 65. 24. *between the Laird of Segie and Mr. G. Buchanan insert [the Tutor of Pitcur.]*
 67. 28, 9. *after March 12, 1591 insert [?]*
 122. 2, 3. *(side note) after July, 1560 insert [April 13, 1561.]*
 143. 3. *for Marisball Monteith read Marishall, Monteith.*
 167. 12. *after Shaphusia insert ,*
 178. *(last side note) after 1587 insert [1578 ?]*
 195. 15. *after Pont insert ,*
 208. 4. *after Biturgium add [Biturigum ?]*
 219. 12. *for whom—to read whom-to.*
 239. 13, 27. *after Rough insert [Roche.]*
 243. 7. *for a back read aback.*
 21. *for datꝰ read datum. This is the way in which Wodrow always contracts um, but erroneously, as c is properly used to represent is. Similar instances will be found at pp. 267, 367, 368, all of which were printed before the mistake was observed.*
 244. 20. *after else add [scen.]*
 267. 2. *for bonꝰ read bonum.*
 20. *The passage conjecturally supplied within brackets should be as follows: [is most detestable] I findand myself &c. See M'Crie's Melville, 2d edit. II. 132. footnote.*
 274. 18. *for membrꝰ read membrum.*
 281. 11. *after and add [at]*
 312. 25. *for pastoribꝰ read pastorib⁹*
 32. *for partibꝰ read partib⁹*
 352. 17. Lord Provand. *The prebend of Balernoock was so stiled in Popish times,—see Gibson's Glasgow, 49.*
 26. *after personage of Eddestoun add [Eddilstoun? En.]*
 366. *after the title of App. No. VIII. add;—*
[Julie, 1579. Sess. 5. The brethrein thought meet that the late conference holden at Stirline be suche as the king appointed therto sould be read

and scene and conferred with the book of policie to see wherin the said conference agreeth with the former conclusions of the assemblie.

Concerning the dowht made vpon the second article of the said chapter, the assemblie explaineth that article and declareth it is vnderstood both of the particular presbyterie and generall kirk. (Cald. MS. Hist. in Bibl. Acad. Glasg. II. 573.)]

- Page 366. Line 26. *after* thinks *add* [meet].
367. 14. *for* eiusdꝑ *read* eiusdem.
368. 26. *for* quondꝑ *read* quondam.
- 373-83. *The names of the parishes are in most cases considerably different from their present names and the variations within brackets are not always improvements, but a reference to a modern list of Parishes or to the Alphabetical List appended to Bishop Keith's Catalogue of the Scottish Bishops will generally lead to their present designation.*
405. 22. *add* Whatever truth there may be in this conjecture, it is sufficiently evident that Bishop Keith had access to Lord Dun's charter chest previous to 1734, when his History was published. In the introduction to that work (pp. x, xiv.) are inserted an order by James V. "to our Secreтар and David Lindesay of Adzell to putt ourdour to our Liegis and Tennentis of the Erdome of Crawford, Dun, Brechin, Adzell and Montross anent thair furthecoming to our Army and Oist" dated a short time before the battle of Flodden, and "The counsall gevin be the Deyne and Cheptour of Aberdeine to my Lord Bischope of Aberdeine" dated 5 Jan., 1558-9,—both from the originals in Lord Dun's possession.
425. 41. *for* me *read* the editor.
430. 35. *for* I have *read* which has been.
431. 8. *for* 1544 *read* 1543 (see Tytler's History of Scotland V. 412, *note*.)
434. 23. *for* I have *read* the editor has.
439. 8. *for* 1153 *read* 1533.
444. 18. *for* S. Mason *read* J. Mason.
449. 10. *for* 1544 *read* 1543—see Tytler's Scotland V. 412, *note*.
457. 8. *for* principal masters *read* principal, masters.
467. 21. } *for* exor^{is} *read* exet^{is}.
468. 5. }
469. 19. *for* t *read* to.
474. 4-7. *It ought to be mentioned that after Carswell's death there was another bishop, John Campbell of the family of Calder, who alienated the revenues, so that the low state of the bishoprick of the Isles in 1600 was not solely produced by Carswell's rapacity.—See Transactions of the Iona Club, I. 6-19. At the same time it is also proper to state that since this part of the Notes was written the editor has been informed by Mr. Donald Gregory that Carswell disposed certain portions of his benefice to Hector M'Lean of Dowart.*
481. 18. *after* the reference to Laing's History *add*: See also very particularly

Keith's History, pp. 447, 8, where the following curious passage respecting Gordon from the dispatch of the English Ambassador, Aug. 20, 1567, appears :

"The Bishop of Galloway hath made offer to the Earl of Athole and the L. of Lethington that the said Earl his nephew shall desist from making any trouble in this Realm, and shall conjoin with these Lords to obey the authority established so as he may have the Earl of Murray his assured Friend, whercof he is in some felonzye because in the time of the Earl of Murray's disgrace the said Earl of Huntley was his great enemy." Here is, indeed, an excellent specimen of disinterested zeal for Queen Mary's liberation and restoration to her throne !

Page 495. Line 20. *for delaring read declaring.*

501. 6. *read thus: but you are not more like to gain us than we you.*

503. 19. *for Presentation read Presentations.*

6-8. *The statement that William Gordon was a son of the Bishop of Galloway was founded on the title of the charter Reg. Mag. Sig. XXXV. 560, which contains the provisional clause "casu decessus Laurentii SUI FRATRIS," but it is now ascertained to be incorrect. The Charter itself expressly designates William Gordon "filium legitimum Domini Joannis Gordoun de Lochinvar militis."*

508. 33. *for St. Cuthbert's, Kirk read St. Cuthbert's Kirk.*

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